NEW HAMPSHIRE

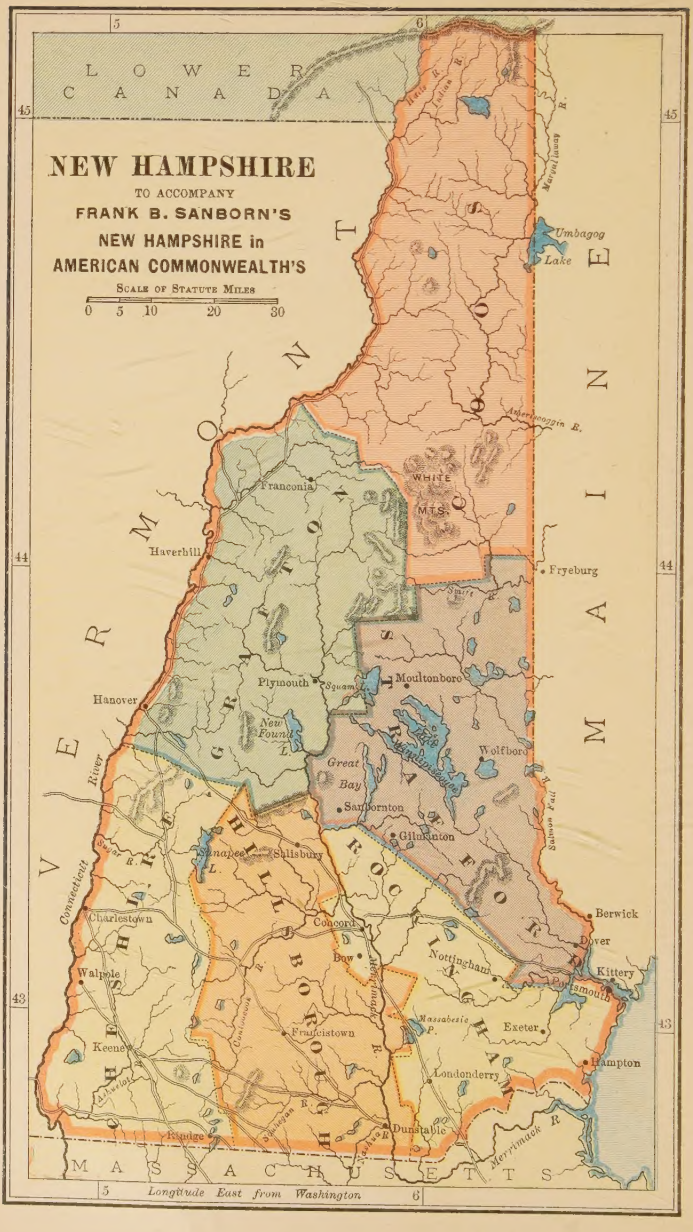
American Commonwealths

Digitized by the Internet Archive
in 2026

https://archive.org/details/newhampshire0000unse_j1w6

American Commonwealths

NEW HAMPSHIRE


NEW HAMPSHIRE
TO ACCOMPANY
FRANK B. SANBORN'S
NEW HAMPSHIRE in
AMERICAN COMMONWEALTH'S
SCALE OF STATUTE MILES
0 5 10 20 30
LOWER CANADA
VERMONT
MAINE
MASSACHUSETTS
Longitude East from Washington
Umbagog Lake
Franconia
Haverhill
Hanover
Plymouth
Moultonboro
Wolfboro
Sanbornton
Gilmanton
Salisbury
Concord
Bow
Nottingham
Berwick
Dover
Kittery
Portsmouth
Exeter
Hampton
Londonderry
Dunstable
Francistown
Keene
Walpole
Charlestown
Rindge
Fryeburg
WHITE MTS.
Great Bay
New Found L.
Sunapee L.
Massabesic P.
Merrimack R.
Connecticut River
Sugar R.
Ashuelot R.
Contoocook R.
Sandegan R.
Nashua R.
Salmon Fall R.
Ammonoosuc R.
Marguillaway R.
Indian R.
Haile R.
Amerisoggin R.
Swift R.
Squam L.
Lake Winnipesaugee
GRAFTON
SULLIVAN
HILLSBOROUGH
CHESHIRE
ROCKINGHAM
COOS
5
6
45
44
43

American Commonwealths

NEW HAMPSHIRE

AN EPITOME OF POPULAR GOVERNMENT

BY

FRANK B. SANBORN

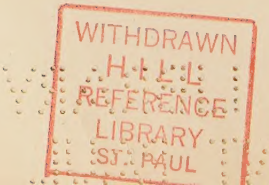
BOSTON AND NEW YORK
HOUGHTON MIFFLIN COMPANY
The Riverside Press, Cambridge

THE SCIENCE MUSEUM
OF MINNESOTA

F
34
S2

COPYRIGHT 1904 BY FRANK B. SANBORN
ALL RIGHTS RESERVED

Published April, 1904



PREFACE

In rewriting the story of early New Hampshire, so imperfectly told by its first and best historian, Dr. Belknap, the founder of the Massachusetts Historical Society, an effort has been made to supply those facts which Belknap, of necessity, could not know, because the English archives had not then been opened, except partially to the inveterate Chalmers, who hated the Colonies, and was mortified at their independence. It has also seemed needful to correct the slight bias of Belknap in favor of his native Massachusetts and the Puritan order of ministers to which he professionally belonged, though free from their worst presuppositions. In doing this, full and grateful acknowledgment is made for the invaluable aid of Belknap, in all those directions where his ceaseless diligence and his gentle temper gave him a clear view of the facts, and the bearing of the events and tendencies illustrated by him. Without his preliminary labors and the acute additions and corrections of John Farmer, another Massachusetts historian domiciled in New Hampshire, the task of arranging our annals would be toilsome indeed.

251128

Later investigators, such as Jenness, C. W. Tuttle, and the editors of the long series of State Papers published at Concord, together with their collaborators of the New Hampshire Historical Society, have made public facts long unknown, which, in connection with the researches of Mr. Baxter of the Maine Historical Society and his coadjutors, have cleared up many doubtful or disputed points. Mr. R. N. Toppan's admirable edition of Edward Randolph's Letters, prefaced by his biography, and the Life of Captain John Mason, in the same series of Prince Society publications, have made the restless, but at last fruitless labors of these two related anti-Puritans intelligible, and less reprehensible than they have long appeared in the partial chronicles of Winthrop and his associates at Boston Bay. Finally, the indispensable but poorly edited volumes of the English Colonial Papers and Historical Manuscripts have shown the way to truth, where the writers did not always point it out, nor the editors know how to find it.

For the method of this volume something may need to be said. As a native of New Hampshire, where my latest English ancestors cast in their lot more than two hundred and sixty years ago, and where all my later ancestors have been born (without exception), I have long known how peculiar has been the history of that district of New England in

one singular respect. Almost every question with which men of English and Irish ancestry have had to deal, in the past five centuries, during their long upward movement towards individual freedom and orderly government of the people by the people, has come up in New Hampshire for settlement, and has been settled; not by direction from the monarch nor by concession from the feudal lord or opulent aristocrat, but by steady and reasonable pressure from below; enforced, when needful, by that hand and sword which stand in the escutcheon of Massachusetts, with Sidney's appropriate legend, but which were even more characteristic of New Hampshire. Local self-government, land tenure by free ownership, trial by unpacked juries, representation as the concomitant of taxation, judges deciding by reason rather than by authority, and without the trammels of unequal law, successful resistance to arbitrary power, and the quiet creation of suitable government when the fabric of colonial dependence fell in ruin, — these with their corollaries and natural sequels have been won by the plain people of Rockingham and Strafford, and maintained in war and peace by the children and kindred of those who won them, in the other eight counties of this American Switzerland. When with this achievement is coupled an early emancipation from the bigotry and barbarity of pharisaical Puri-

tanism in the near neighborhood, and a practical development of liberty of conscience in the face of provincial intolerance, there would seem to be room for a chronicle that might make part of the long history of civilization struggling against the forces of priestly selfishness and imperialistic power.

Such a chronicle I have sought to present, rather than a volume of consecutive annals, which spares us no event, however trivial. Trifles are often the hinges on which great revolutions turn; but the tendencies that develop a free state of free citizens are not shaped by triflers nor depicted in minute analysis. Men that lead and men that follow are there needed, and it has been the good fortune of New Hampshire that she has ever had leaders, and never lacked the modest good sense to follow where they led.

In briefly reciting the eminent services of Rev. Dr. Langdon (page 264), no mention was made of one strong claim to remembrance which he has. In concert with two topographic surveyors, Joseph Blanchard in 1756 and Abel Sawyer in 1784, Dr. Langdon prepared two maps of New Hampshire and Vermont in one sheet, — the first engraved at London in 1761, and the second, much improved, in 1784. For the first map, the Province granted him some acres of mountain land north of Conway, and the brilliant English Secretary, Charles Town-

shend, then Chancellor of the Exchequer, to whom Langdon dedicated it, procured for him a doctorate at Aberdeen. For the second and much better map, he may have received no recompense; and the governments of the two States, Massachusetts and New Hampshire, to which (and especially to John Hancock, then Governor of Massachusetts) he dedicated the map of 1784, have not taken the trouble to preserve a copy in their archives. Its merits for the historian of the Indian wars and the Vermont dispute are that it shows where the Indian raids from Canada were made and along what lines the captives were carried off, while it gives the localities in Vermont most involved in the dispute. Probably Dr. Langdon, then pastor of a rich congregation at Portsmouth, is the only New Hampshire man whose map made him a doctor of divinity. It deserves to be better known.

Another service rendered by Dr. Langdon, late in life, was to clear up the story of the glebe lands in Portsmouth, mentioned on page 22. Replying to the successor of Arthur Browne of St. John's church, in 1792, he showed by a similar case in South Kingstown, R. I., that the King in Council, about 1751, had decided that the inhabitants could adopt the form of worship they chose, and hold parsonage property.

In tracing the intricate and perplexing sequence

of governments and statutes in early New Hampshire, I have depended much on the elaborate volume of the Colonial and Provincial laws, edited in 1903 by A. S. Bachellor, and covering this ground fully and clearly. In describing the uprising in 1845 against the pro-slavery democracy headed by Franklin Pierce, I have fortified my own early recollections by the monograph of John L. Hayes, then of Portsmouth, but recently of Cambridge, Mass., and the too brief autobiography of Amos Tuck, privately printed by his son, Mr. Edward Tuck of Paris.

F. B. S.

Concord, Mass., March 1, 1904.

CONTENTS

CHAPTER		PAGE
I.	Navigators and Colonists	1
II.	The Puritan Rule in New Hampshire	27
III.	The Masonian Claims	65
IV.	New Hampshire a Province	83
V.	Early Laws and Customs	115
VI.	Indian Wars	135
VII.	The Final Struggle with Massachusetts	152
VIII.	The Switzerland of America	175
IX.	The Revolution and its Sequel	204
X.	Social and Political Development in the Nineteenth Century	240
XI.	The Great and Little Men of New Hampshire	259
XII.	The Anti-Slavery Contest and its Results	300
XIII.	New Hampshire in the Twentieth Century	314
	Index	341

NEW HAMPSHIRE

CHAPTER I

NAVIGATORS AND COLONISTS

It is usual to say that the beginnings of American history are clear and evident, not wrapped in the mists of antiquity or legend. But four centuries, for legendary purposes, are much the same as fourteen or forty; and in fact the earliest visitation of Europeans to New England is as uncertain as the facts about the founding of Rome. The Norsemen sailed along our coast before Cabot or Verrazano, and it is quite possible that Basque fishermen had given their name for codfish (Bacalaos) to some region of the mainland or to Newfoundland before Cabot or Cartier turned their prows toward the shores of Labrador or the islands in the Gulf of St. Lawrence. The French were explorers and colonizers in Canada and Maine before Sir Humphrey Gilbert or his half-brother Raleigh set forth on their ill-fated colonizing voyages. Montaigne's friend, Etienne de la Boëtie, had written enthusiastic verses, pointing out the good that the New World

could do for the war-wasted Old World, several decades earlier than John Mason, returned from his command in Newfoundland, indited lines like these : —

> "If Hope of Fame, of quiet Life, or Gaine
> May Kindle Flames within our minds againe,
> Then let us joyne to seeke this Golden Fleece,
> Whose like ne'er came from Colchos into Greece."

This Captain Mason must be called the founder of New Hampshire, which it is doubtful if he ever saw, though he gave the Colony its name, and furnished a name for its first city, Portsmouth, — deriving both from southern England, where for years he was governor of Portsmouth Castle. In his town house Buckingham, the royal favorite and patron of Mason, was assassinated in the summer of 1628 by John Felton, and Mason had invited the duke there in these lowly terms : " Your Grace's lodging is prepared in my house here, which will not only grace it and myself, but shall bind me perpetually to remain your Grace's most humble devoted servant." The death of his patron did not end Mason's favor with King Charles, who had already granted more than one New England patent to him and his friend, Sir Ferdinando Gorges, and would have put them in command of all New England, to the detriment of the Massachusetts Puritans, if Mason had not died in December, 1635, just as the measures of the Court and the English prelates were about to take effect. Mason was a native of King's Lynn in

Norfolk (December 11, 1586), entered at Oxford in June, 1602, but never graduated, and became a merchant and shipmaster before 1610. In that year he commanded a small fleet sent by James I to reduce his subjects at the Hebrides; and this expedition, lasting into 1612, cost Mason more than £2000, which had not been paid by the frugal Stuarts in 1629. But meanwhile Mason had been kept in lucrative offices, at Newfoundland and in Hampshire, and was thus able to accumulate money which he was ready to expend in colonizing New England. He had received a patent for the land lying between the Naumkeag River and the Merrimac, under the name of Mariana (March 9, 1622); a second patent from the same authority, the Council for New England, was granted August 10, 1622, to Mason and Gorges, covering all the land lying on the sea-coast and for sixty miles inland, between the rivers Merrimac and Kennebec, with the islands adjacent; and this was called the "Province of Maine." Seven years later, November 7, 1629, Mason alone was granted all that part of the Province of Maine lying between the rivers Merrimac and Pascataqua; this he called New Hampshire. Ten days after (November 17), a much larger tract, called Laconia, and supposed to extend to Lake Champlain, was granted to Mason and Gorges. By 1632 Mason had become a member of the Council for New England, which made all these grants, and many more to other persons, and he

was expending much money in taking possession of his lands in New Hampshire and Maine.

As early as 1623 David Thomson, a Scot, for whom Thompson's Island in Boston Harbor is named, took possession of a grant of land made to him in 1622, apparently with the consent of Mason, at what is now Little Harbor in the town of Rye, but then called Pannaway. Possibly in the same year, 1623, William and Edward Hilton settled, under a grant to themselves, in what was afterward called Dover, some miles up the Pascataqua River, and this is alleged by some to have been the first actual settlement made in New Hampshire. As the Hiltons and Thomsons were friends of the Church of England, and neither Pilgrims like the Plymouth colonists of 1620, nor Puritans like those who soon after settled Massachusetts, it is probable they settled in New Hampshire under some agreement with Mason and Gorges, who were ardent supporters of the state church. At any rate, in November, 1631, a new grant was made to Mason, Gorges, and certain associates (named John Cotton, Henry Gardner, George Griffith, Edwin Guy, Thomas Wannerton, and Thomas and Eliezer Eyre) of a specified tract about the mouth of the Pascataqua, which had already been settled by Walter Neale and a colony, at a cost of more than £3000, — possession thereof to be given by Captain Thomas Camock, nephew of the Earl of Warwick, and Henry Jocelyn, son of an English knight, who already had

lands granted them in Maine, east of the Pascataqua. This arrangement seems to have been a partnership affair, for which a special grant was thought to be needful; but it was all a part of the great scheme of Mason and Gorges to settle their lands and derive profit from them and from the fishery thereto appertaining. Under this partnership and the previous arrangements, whatever they were, with Thomson, Walter Neale, and others, more than sixty men and twenty-two women were sent out by Mason and his partners, or adopted by them from other small colonies; large and small houses were built, arms and tools were supplied, a saw-mill was established at Newichwannock in the present town of Berwick, and property was taken up on both sides of the river near its mouth. Mason was nominated by King Charles to be Vice-Admiral of New England, and was preparing to go out to his colony, when his plans were defeated by death. By this time (1635) the little colony had become established, and the advantages of the situation were so many that it continued to grow in numbers and in wealth, and soon became a shipping and fishing station of some importance. Under the original name of Strawberry Bank, this particular settlement included all that is now Portsmouth, Rye, New Castle, Newington, and Greenland; a slight organization for local government was formed, and arrangements made for establishing there a church conformed to the ritual of the Eng-

lish Church, with glebe lands and proper support for a clergyman.

All this had been preceded by explorations in the waters and along the coasts of what, in 1614, Captain John Smith had christened with the pertinent name of New England. Sir Humphrey Gilbert, half-brother of Sir Walter Raleigh (both being kinsmen, through the noble family of Champernown, to Sir Ferdinando Gorges), had made two voyages westward from English Plymouth in 1578 and 1583, in the second of which he led forth a colony of 250 persons for settlement in Newfoundland. He had five small vessels, of which the largest, named for Raleigh, turned back in a few days; with the other four he reached Newfoundland in August, 1583, and thence sailed southward for a better situation. Ill fortune attended him; he lost one vessel, and, becoming discouraged for the season, turned back towards England; but in the longitude of the Azores, Gilbert in his Golden Hinde foundered in the middle Atlantic. He never really saw New England, any more than Raleigh, sending forth his Carolina colony, saw Virginia; and in spite of great courage, running into rashness, Gilbert's undertaking rather checked than promoted explorations. Martin Pring was a less venturesome but more successful voyager; he coasted along Nova Scotia and Maine, and in 1603 may have sailed up the broad estuary of the Pascataqua as far as where the Hiltons and David Thomson afterward made their

settlement.[1] But his object was discovery rather than colonization. In 1606 he sailed to the Maine coast again, commanding a vessel fitted out by Sir John Popham, who the next year, joining forces with Raleigh Gilbert, a brother of Sir Humphrey, fitted out a colony for Sagadahoc, at the mouth of the Kennebec, as Mason did sixteen years after at the mouth of the Pascataqua. But this Maine colony abandoned their Fort St. George the next year, as the French had given up their Port Royal colony in 1609, and for some time only fishermen pitched their tents or built their huts and stages along this rocky coast. When Smith appeared here in 1614, that experienced adventurer was charmed with the rich fisheries and the prospect of settling permanent freeholders on the well-wooded hills and among the rich valleys of what is now New Hampshire. "Here," he said, "should be no hard landlords to rack us with high rents, or extorted fines to consume us; here every man may be master and owner of his own labor and land in a short time. . . . The sea there," he said, "near the Isles of Shoals [which he touched at and named Smith's Isles], is the strangest fish-pond I ever saw. What sport doth yield a more pleasing content, and less hurt or charge, than angling with a hook, and crossing the sweet air from isle to isle over the silent streams of a calm sea?" When this was published in England, with Smith's quaint map of the New England

[1] This voyage up the river is denied by good antiquaries.

coasts, Captain Mason was in Newfoundland, governing a colony that had gone there in 1610. It is quite possible that in some voyage southward during the six years he was there, from 1615 to 1621, the patentee of New Hampshire visited his future colony, sailed up the Pascataqua, and saw with his own experienced eyes where David Thomson planted himself at Odiorne's Point, on Little Harbor, and at Thomson's Point, near the Great Bay in Greenland. Francis Champernown, the kinsman of Mason's friend Gorges, afterwards owned a great estate along this bay, and from its name, Greenland, the present town was so called. But no certain record of such a visit of Mason has yet been found.

Smith's dream of a colony where landlords and quitrents should be unknown was far enough from the plans of Mason or Gorges. They believed fully in the patents and monopolies which excited popular and parliamentary hostility in the Stuart reigns, and they aimed at baronies and lordships in New England similar to those of England and Scotland. They were ready to spend money in colonizing, but the colonists were to be their tenants, governed by their kindred and friends as a ruling class. Moreover, they were stanch royalists, very loyal to the Church of England, then at issue with the Calvinistic Puritans, and inclining toward the Church of Rome, to which the sons of Charles I, following the example of their grandfather, Henry IV of France, joined themselves after the Restora-

tion. This bent of mind separated them from the Plymouth Pilgrims, — poor men, seeking to establish a popular government, — and from the Puritans of Massachusetts and Connecticut, whose ideal government was a theocracy, and to whom royalty was unwelcome, though they must profess allegiance to kings whom they disliked, and who, in turn, hated them cordially.

Mason and Gorges preferred a colony resembling what Virginia soon became, — an aristocracy closely dependent on the crown, and supplied with a loyal clergy selected by careful English bishops, who should preach passive obedience, so far as the turbulence of new colonies would permit that servile doctrine. Mason or his friends sent over several persons of this kind, one of whom, George Burdet, coming in the early part of 1635, ingratiated himself with the planters at Dover, so that they dropped their former ruler, Thomas Wiggin, and chose Burdet in his stead. He was then carrying on a secret correspondence with Archbishop Laud, in which he denounced Massachusetts Puritans as hypocritical and disaffected. Under pretext of purity in religion, he said, they were aiming at independent sovereignty, — "it being accounted perjury and treason by their General Court to speak of appeals to the king." This was an exaggeration of the fact rather than a falsehood; for virtual independence was what the Massachusetts oligarchy desired, and practically enjoyed.

Mason and Gorges set up each his colony, on opposite sides of the Pascataqua, and did their best to make both aristocratic and loyal; but fate and the grasping Puritans of Boston Bay were too much for them. So intimate, and indeed allied in business affairs, were these two friends that it is hard to distinguish their separate ownership in the two districts of Maine and New Hampshire. Surveys of topography were few and inexact, and the bounds of their granted monopolies very indistinct. Consequently, the "patents" and charters they sold or gave away soon conflicted one with another, and were for a century a cause of litigation and appeal to the English Crown. Mason not only had his "Great House" in Portsmouth for trade and exploration, but saw-mills on the Maine side at Newichwannock, now South Berwick. In both plantations he employed many men and women, and spent many hundred pounds sterling. So far as any profit accrued to him or his heirs, this was money thrown away. At his death, in 1635, leaving a widow and infant grandchildren, he endowed a church and a free school in New Hampshire each with 1000 acres of his supposed land "in my County of New Hampshire or Manor of Mason Hall," and gave 2000 acres to his native town of Lynn in Norfolk, for the poor. None of his legatees received anything from these well-intended gifts; nor had Mason ever opportunity to exercise those great powers as Vice-Admiral of New England which he

desired in 1635, and which Charles I seems to have granted. In a letter to Edward Nicholas, admiralty secretary (July 11, 1635), Mason said: —

"New England is large and spacious, and the plantations do already extend 300 miles upon the sea-coast. The English inhabitants are supposed about 13,000, and six sail of ships at least, if not more, belonging to the plantations, besides resorters for fishing and trade, and such as carry people and cattle, yearly amount to above forty sail."

But the new Vice-Admiral was to have jurisdiction over much more commerce than forty ships in a year could deal with. His patent was to authorize Mason throughout Charles's "Dominion in New England, which lieth between 40° and 48° of northerly latitude, the same being according to the extent of a former patent, which the Council and Corporation of New England hath now surrendered to His Majesty; which new patent is to comprehend the South Seas and coasts thereof, together with California and Nova Albion, being all contained within the said latitude." This quotation may serve to show the loose geographical ideas of the time. How extensive were the powers of Mason on land, within his expected province of New Hampshire, will appear by the draft of a charter prepared in August, 1635, which never passed the seals, but which indicates the fondness of Charles I and his advisers for arbitrary government, in the control

and settlement of American colonies. The Puritans were soon to nullify this aim both in America and England. The document in question, cited in 1728 as an actual charter, must have been but a carefully written draft.[1] Yet it sets forth what are known to have been the wishes and hopes of the opponents of the Massachusetts charter and the government at Boston under it; and we may take it as the design in which, according to Governor Winthrop, the Lord "frustrated, and disappointed them." This phrase occurs in his "History of New England," in connection with another passage going to confirm the authenticity of the document now to be quoted. Winthrop says: —

"One Captain Mason of London, a man in favor at Court, and a professed enemy to us, . . . provided a ship which should have been employed to have brought a general governor, or in some other design to our prejudice; but in launching of it her back was broken. He also employed Gardiner, and Morton and others to prosecute against us at council table, and by a *quo warranto* etc., so as Morton wrote divers letters to his friends here, insulting against us, and assuring them of our speedy ruin. . . . As for this Mason, he fell sick and died soon after."

This allusion to a "general governor" supports the intimation given in the draft of charter, that appeals may be made from the governor of Mason's county palatine of New Hampshire "unto such a

[1] See the whole document in Mr. C. W. Tuttle's *Life of Mason*, published by the Prince Society, 1887.

General Governor as from time to time shall be constituted and sent over into the parts of New England, for the government of the whole country and territory of New England." But this future Andros was not to have any power to "do anything which shall extend unto the right or interest of any person or persons within the said New Hampshire, for or in his life or lives, member or members, lands or tenements, goods or chattels whatsoever, to be distrained, constrained, restrained, bound, charged or taken away." With this considerable limitation on the power of a governor-general, King Charles goes on, in the document, to give Mason power over the land and water, forests, mines, and fisheries, according to the right and powers "had, used and enjoyed by the now or any former Bishop of Duresme within the County Palatine of Duresme." Specifically, Mason was to have "all the advowsons and patronages of churches whatsoever, to be erected within the said tracts, with license and ability there to build and found churches, chapels and oratories, and to cause the same to be dedicated or consecrated according to the ecclesiastical laws of England." That is, he was to recognize the state church, and not the dissenters. And the restrictions on the emigration of Englishmen, which were such an embarrassment to the Puritans, were to be suspended in favor of New Hampshire; for "We do give and grant, by these presents, license and liberty to all persons, both our

subjects and liege people for the present, and those of our heirs and successors in future time, (except such as shall be specially interdicted) to transport themselves and their families to the said Province." Moreover, all the people of New Hampshire and their descendants were to be "holden, reputed and had as the faithful liege people of Us, our heirs and successors, originally springing up within our Realm of England." And they were to take by descent or purchase, and freely possess, property in the three kingdoms, as if living therein; and to have "all the liberties, franchises and privileges of this our realm of England, without any impediment whatsoever, — any statute to the contrary notwithstanding," — which shows in the king that sort of dispensing power which the Stuarts were so fond of exercising, and which cost them their throne. What is yet more noteworthy, the favored people of New Hampshire were to be at liberty to import and export, to and from the ports of the kingdom, with no higher tariff imposed than five per cent., — confirmed by this asseveration: —

"And our will and pleasure is, and for us, our heirs and successors we do publish and declare that, for and upon the payment of the said five pounds *per centum*, we do freely exonerate, acquit, and discharge the same wares, goods and merchandise so to be imported, transported or exported, as aforesaid; beyond which we will not grieve the inhabitants of the said Province of New Hampshire, nor any of them. . . . And furthermore we

do covenant, that we, our heirs and successors will not impose at any time hereafter any impositions or customs or other taxations, how small soever, upon the dwellers or inhabitants of New Hampshire."

Had this gone into effect and been acted upon in the American Colonies generally, there would have been no occasion for our Revolution. Power also was to be given to Mason and his heirs, "lest the way to honor and renown might seem difficult and hard to find in so remote and far distant a country," to create and bestow titles, "so they be such as in England now are in use," and "to create villages into boroughs, and boroughs into cities." But, — and here was the blow aimed at the quasi-independence of Massachusetts, — "We do declare and ordain, that the said Province of New Hampshire shall be immediately subject to our Crown of England, and dependent upon the same for ever." [1] Had Mason lived, and the troubles in Scotland and England, consequent upon the narrow and cruel church policy of Laud, been early quieted, Gorges and Mason, under similar charters, would have introduced

[1] This invaluable key to the proposed policy of "Thorough" in New England, though cited as a charter (which it was not) by the Mason claimant Allen in 1728, seems to have escaped notice and publication until 1887, when it was found in a folio volume of eighty-four pages, containing certified copies of papers supporting the claim of the heirs of Mason to the ownership of New Hampshire and a part of Maine and Massachusetts. This particular paper is certified by Richard Chamberlain, Secretary of the Province of New Hampshire from December, 1680, to some time in 1686. It seems to be authentic.

bishoprics and orders of nobility in New England, and "the Bay horse," as Boston was nicknamed, would have trotted a very painful course.

As it was, however, the plantations of Mason at Portsmouth and at Newichwannock, on the Maine side of the river, were but sources of outlay during his lifetime, and came to naught, so far as his heirs were concerned, after his death. He and his partners had sent over implements and arms, food and clothing, cattle and laborers; but the returns were slight. Captain Camock, son of the Earl of Warwick's sister, and Henry Jocelyn, son of an English knight, as we saw, were to put the Mason and Gorges grantees in possession of their lands under the patent of 1629, and did so. Captain Walter Neale had charge of the Portsmouth plantation, where Humphrey Chadbourne built for the Masonians a "Great House" in which Wannerton, one of the partners, resided. Ambrose Gibbons took charge of the saw-mills at Newichwannock, and also carried on farm work there; Neale lived at Little Harbor, with Edward Godfrey, and had the care of fishing and salt-making. On Great Island, now New Castle, land was marked out for a fort, and cannon were sent over to be mounted there. All went well at first, and so long as the proprietors had money to furnish supplies; but the returns in furs, fish, ores, timber, etc., were very small, and the partners grew impatient. The food and clothing of the seventy or eighty agents, servants, and women,

sent to the two plantations, were so costly that little was left for their wages, which got in arrears. Writing in May, 1634, after a division of lands and goods among his partners, Mason said: —

"The servants with you, and such others as remain upon the company's charge, are to be discharged and paid their wages out of the stock of beaver in your hands, at the rate of 12 shillings the pound. And you must afford my people some house-room in Newichwannock house; and the cows and goats, which are all mine, and 14 swine with their increase, some grounds to be upon, till we have some place provided upon my new-divided lands. The chrystal stones you sent are of little or no value, unless they were so great [as] to make drinking cups or some other works, as pillars for fair looking-glasses, or for garnishing rich cabinets. Good iron or lead ore I should like better of, if it could be found. I have disbursed a great deal of money in the plantation, and never received one penny; but hope, if there were once a discovery of the lakes, that I should, in some reasonable time be reimbursed again."

He never was reimbursed; his new charter never took effect; his unpaid servants, a few years after, divided his houses and cattle among them, in lieu of wages or other claims, and Mason Hall, as a manor, took rank among the castles in Spain. What fortune his heirs had will be told later.

Such, for the present, was the upshot of this venture of gentlemen and merchants to found a colony. Another undertaking, by another of the

founders of New Hampshire, with a company of poor men, united in the bonds of Christian fellowship, had even a more speedy dissolution. While Mason and Gorges were getting their charter of 1629, a small body of dissenters united themselves, in London and some of the country parts of England, into a fellowship called "The Company of the Plough." Their union was in form religious, and implied peculiarities of belief, — exactly what, we know not; but their worldly aim was to found a colony in New England, to which the Plymouth Pilgrims had gone, and Winthrop and his followers were just going. They therefore obtained from the Council of Plymouth, through the Earl of Warwick and Sir F. Gorges, a grant of land described thus: —

"Two islands in the river Sagadahoc, near the south side thereof, about 60 miles from the sea; and also a tract containing 40 miles in length and 40 miles in breadth, upon the south side of the river Sagadahoc, with all bays, rivers, ports, inlets, etc., together with all royalties and privileges within the precincts thereof."

This grant was made to Bryan Binckes, a London man, John Dye, a London merchant, living in Philpot Lane, John Smith, and others their associates, among whom were Anthony Jupe, a nephew of Captain Robert Keayne of Boston, Thomas Jupe, his father, a London merchant, John Crispe, Bryan Kipling, and nearly twenty more, forming the Com-

pany of the Plough. Their pastor, and one of the larger contributors, was a vigorous old Puritan minister, Stephen Bachiler, then nearly seventy, an Oxford graduate and for eighteen years vicar of the parish of Wherwell in Hampshire, but then ejected for Puritanism, and for twenty-five years a wanderer, with occasional preaching, about England and (traditionally) Holland, where a son of his was an army chaplain. He was now ready to "go to th' American strand," as George Herbert said of English religion in general, and was warmly welcomed by the little band of the Plough, — which was the name they gave their first vessel. It was but of sixty tons, and carried over in 1630–31 only a part of the brethren of Lygonia, as their grant was afterwards named.[1]

The Plough was a poor vessel and carried a poor-spirited company. Finding the shores of the Casco waters rude and inhospitable, as Popham's colony had found their landing-place, twenty years before, they tarried but a while there, and betook themselves to Winthrop's colony near Boston. His first entry about them in his journal of July 6, 1630,

[1] It is singular that Silvanus Morgan, author of a fantastic book of heraldry, *The Sphere of Gentry*, in 1661, should give what much resembles the present escutcheon of New Hampshire as "the arms which appertain to Stephen Bachelor, the first pastor of the church of Ligonia in New England, — Vert, a plough in fesse; in base the sun rising, Or, — which bearing was answerable to his profession in plowing up the fallow ground of their hearts; and the Sun, appearing in that part of the world symbolically alluded to his motto 'Sol Justitiæ Exoritur.'"

was: "A small ship of 60 tons arrived at Nantasket, Mr. Graves, master. She brought ten passengers from London. They came with a patent for Sagadahoc, but not liking the place, came hither. Their ship drew ten feet, and went up to Watertown; but she ran on ground twice by the way." A later hand afterwards added to this, "Most of them proved familists and vanished away." Their Plough dropped down to Charlestown, started thence for the West Indies, but came back in three weeks, "so broke she could not return home." There was also some "untimely breach" committed by "Brother Cerman," which did not prevent Mr. Bachiler from "doubling his adventure" and making it £100; but worse trouble arose in Boston before the second ship, the Whale, reached Boston (May 26, 1632), with Mr. Bachiler and Richard Dummer on board, and the rest of the Plough Company. The Plough was sold, some of her men were off to Virginia, and there was a dispute about a division of the property of this frustrated colony of Casco Bay. How it was settled does not appear; but Bachiler and Dummer remained, and both had some later connection with the patent, which for half a century longer was a cause of troubles.

The overlapping of one patent upon another was a constant source of dispute, and in this Lygonia case we have early and authentic testimony about it from John Dye, one of the patentees, writing from London, March 8, 1632: —

"There is one Bradshaw that had procured letters patent for a part, as we supposed, of our former grant; and so we think still, but he and Sir Ferdinando think it is not in our bounds. We cannot possibly relate the labor and trouble we have had to establish our former grant. Many rough words we have had from Sir Ferdinando at the first; and to this hour he doth affirm that he never gave consent that you should have above 40 miles in length and 20 in breadth; and saith that his own hand is not to your patent, if it have any more. So we have shown our good wills, and have procured his love, and many promises that we shall have no wrong. We bestowed a sugar-loaf upon him of some 16 shillings price, and he hath promised to do us all the good he can."

Nevertheless, the bounds of this very grant came into controversy a dozen years later, when the Plough patent had been bought by Colonel Rigby, a Puritan member of the Long Parliament, and in one of the disputes Mr. Bachiler was called on as arbitrator ("a grave, reverend and good man," said Rev. Robert Jordan, the defeated party) to decide the controversy. He did so in June, 1641; but in the interval of nine years since his landing in Boston as pastor of the scattered Plough Company, Mr. Bachiler had made an attempt to colonize at Yarmouth on Cape Cod, and had actually made the original settlement of Hampton, with some of his relatives and other English friends. In so doing he had the countenance of the Massachusetts authorities, who afterward turned against him; and

Hampton was the first of the four primitive towns to accept the government of Massachusetts, in 1639. Dover followed in 1641, under the lead of Richard Waldron, its principal citizen, and Portsmouth soon after, — while Exeter, which was on ill terms with Massachusetts on account of Wheelwright's settlement there, on his banishment from Boston, was not taken under the Boston protection until 1643, when Wheelwright had gone to his next colony, at Wells in Maine.

Practically, if not absolutely, the only "freemen" or voters in Hampton, and perhaps in Exeter for some years, under Massachusetts control, were church members, as in Boston and its sister towns; but the members of the Anglican Church in Portsmouth and Dover stipulated, as a condition of obeying the Bay government, that no such ecclesiastical restriction should be laid on them, and probably this exemption gradually prevailed in the other two towns. The result of this union of the Hampshire towns with Massachusetts was to quiet internal dissensions to some extent, particularly at Dover; but in Hampton, Exeter, and Portsmouth, these continued. At Portsmouth the settlers had laid out glebe lands, as desired by their deceased founder, Captain Mason, and had engaged a clergyman of the English Church, Rev. Richard Gibson, to be their rector. He consented, and began his work; but the Boston oligarchy interfered, refused to recognize him as a pastor, and virtually forced

him to return to England, from which he had come to officiate as curate in Maine. This proceeding left seeds of discontent at Portsmouth; such existed at Exeter also, and prevented harmonious union in a Puritan church. At Portsmouth no such church was formed for thirty years, although several Puritan ministers had preached there as missionaries (among them Rev. Stephen Bachiler), and one had been settled a long time (Rev. Joshua Moodey) before he gathered a church with a full church covenant. These facts are worthy of mention, since the local church was so much an element of the political as well as the religious life of the Puritans.

In 1637 Charles I had again taken up his purpose, declared in 1635, of sending over a general Governor for all New England; but the dissensions in Great Britain caused delay and finally abandonment of the scheme, which had been urged by Sir F. Gorges after Mason's death. Gorges himself (who may have gone to Maine in 1617 with Mason, as was afterwards alleged by Robert Mason), not being able to leave England, sent over his kinsman, Thomas Gorges, to govern his Maine Province on the spot. This was in 1640, and for three years Thomas Gorges resided in Maine, and called his abode Gorgeana. With him were associated in the government Henry Jocelyn and Edward Godfrey, who had formerly lived in Mason's colony, and Francis Champernown, who long con-

tinued to own land in Portsmouth as well as at Kittery, where he usually lived. Indeed, so mixed were the relations of the two colonies of Mason and Gorges, that almost every prominent person in either seems to have figured at some time in both. Portions of both were termed Pascataqua, as lying on that river, and men passed easily from one town to another for residence, — looking on themselves, oftentimes, as mere sojourners in either, until they should return to the mother country, as many did.[1]

The confusion of patents and grants, whether made by the king, by the New England Council,

[1] The first record that I have found of Walter Barefoot, who became so seriously or amusingly prominent in New Hampshire for nearly thirty years, is among the York Deeds in Maine, where, under date of May 21 and June 3, 1657, Mr. Walter Barefoot (not yet Doctor or Captain) has assigned to him four tickets from James Chanceller, chirurgeon, and Robert Greenill, able seaman (two tickets each), for their wages in the navy of the English Commonwealth under Cromwell, — Greenill as seaman and cook, from September 1, 1654, to June 10, 1655, and Chanceller as surgeon's mate and surgeon from September 17, 1655, to May 13, 1657. Evidently Barefoot advanced money to these two men, and took their tickets to be collected in England, — no amount due being mentioned. It is possible that Barefoot came over in one of these vessels, the Golden Falcon, and that he also was a naval chirurgeon on board. Apparently he had ready money, for the next year, November 16, 1658, he advanced to Francis Champernown £130 sterling, and received in return a deed of 500 acres of land and a dwelling-house, in Kittery. In this deed, and in a bond of August 1, 1660, Barefoot is called Captain, and in the bond he is described as "of New England, merchant." The giver of the bond is a Barbados merchant, Thomas Langley. August 6, 1661, Barefoot sold a house by the seaside in Kittery to S. Harbert, tailor, for £85, with 30 acres of land.

by the towns of New Hampshire before 1642, or by Massachusetts afterwards, was very great at first, and continued to be a source of litigation for nearly a century and a half. The patents of the Hiltons on the Pascataqua, and of Thomas Wiggin in what is now Stratham, though conflicting with the general grants made to Mason and Gorges, were sustained by the local courts ; and in Wiggin's case he was finally taxed in the town of Hampton, though never residing within its proper limits. The Hiltons, opposing the claim of Mrs. Mason to the ownership of their land, which at one time was allotted to her, finally recovered it, under a decree which shows what the customary rate of interest was in the early years of the Colony, — eight per cent. The profit made by successful trade seems to have been much more than this ; but it was not until after 1650 that prosperity can be said to have visited the four New Hampshire towns ; and it was a natural inference of the planters that, as this had happened under the Puritan government of Massachusetts Bay, it was due to that government, which until after 1650 could not fairly be stigmatized as usurpation, though bearing heavily upon the members of the Church of England who dwelt in the little Colony. But as time went on, and the civil dissensions of England were quieted by Cromwell, and after his death by the restored monarchy, the just occasion for Massachusetts to dominate New Hampshire and Maine

virtually ceased; while the revived purpose of the Stuarts to deprive Massachusetts of its charter encouraged the malcontent planters to make a party against the Puritan domination. This led to a contest which continued, smouldering or violent, until New Hampshire had its separate provincial organization in 1679–80, and was renewed upon the overthrow of James II in 1689. The majority of the inhabitants no doubt preferred the Puritan control; but it led to acts not justifiable upon any sound theory of equity or English liberty, and this portion of our history comes now under view.

CHAPTER II

THE PURITAN RULE IN NEW HAMPSHIRE

ALTHOUGH the chief stream of colonists in all the New England settlements was Puritanic in opinion, and inclined to be democratic in its policy, there was at first a considerable infusion of the aristocratic element, which adhered to the English Church as against the sectaries, and sought to establish distinctions of rank, founded on landed property and trade monopolies. The grants so liberally made to Gorges and Mason, and to other supporters of the kingly prerogative in England, were sharply criticised in Parliament as belonging to the evil class of monopolies from which the people suffered. Coke, the great lawyer, who vacillated between servility and sedition in the reign of James I, censured the privileges accorded to Gorges in the matter of fishing and trade, though less than had been yielded to Raleigh and his friends while they were in the royal favor. "If you alone are to pack and dry fish," said he to Gorges, "you attempt a monopoly of the wind and sun." The answer to this is found in an earlier utterance of Gorges, in which he pleaded both for his chance and for the liberty of his colonists.

"Neither can there be anything more honorable," he said in 1606, before joining in the frustrated colony of Popham, "than free conditions to be granted to such as willingly do hazard themselves and their estate, without farther charge to the king." This was the true doctrine of American colonization, so far as the Parliament was concerned; and it was the neglect and contempt of this principle which separated the Colonies from England in 1776. But Gorges and his partners and his party expected to transfer to their granted lands the system of church and society that then prevailed in the mother country. Great landed estates were to be held by gentlemen, and leased to tenants who would maintain by their labor and their rents the same leisurely and titled class which then and since has mainly ruled England. And as the support and decoration of this class, the national Church was to be maintained, with glebes and schools, and tithes and bishops, — the whole formalism and control of conscience that had been cherished by Elizabeth, less wisely promoted by James, and which, finally, under Charles I and Laud and Wentworth, was to provoke the patient English people into rebellion and civil war.

Against this tendency in Virginia and in Maine, and to a small degree in New Hampshire, the Pilgrim Colony, with its simple form of government and its brotherly and tolerant religion, was the unconscious antidote. Between the two systems

stood Winthrop's Bay Colony, less democratic than Plymouth, but more Calvinistic, and therefore more hostile to the claims of the Arminian and prelatical church of Laud. Both these attracted, in the persecuting days from 1620 to 1640, hundreds of worthy nonconformists, chiefly of the yeoman and tradesman classes, while along with such, or as a godless fringe to the pious garment, came a host of the shiftless, ne'er-do-well, or positively vicious kind, who naturally found in a new country some relief from the restraints and some respite from the fruitless toil of the fatherland. The samples of gentry that came over were often of the last-named sort, undisciplined or trained in self-indulgence, or even, in more vigorous examples, too much like Raleigh Gilbert, as portrayed by Gorges in 1607. "Captain Gilbert is described to me as desirous of supremacy and rule, — a loose life, prone to sensuality, little zeal in religion, humorous, headstrong, and of small judgment and experience; but otherwise valiant enough." Of a different type, yet showing the same vices, with hypocrisy and too much zeal added, was Captain Underhill, who figured for a while in Dover; and several of the clerical persons who came over to practice their profession on the edge of our wilderness, and fell under the temptation described by Hawthorne in his "Scarlet Letter." In the fishing stations and seaport towns was the customary riffraff of such places, — apostolic in their occupation but not in

their life, or else mechanical, in the bad sense that Shakespeare attaches to that word. From this seething mixture of imprudently good and incorrigibly bad arose the need of a stricter discipline in New Hampshire than the lax organization of the four town republics could maintain. Hence the proposal of the Boston Puritans that they should come under what Edward Godfrey called "their umbrella of religion," and become a part of the Massachusetts republic, which professed itself a theocracy, and was certainly far more moral than Rhode Island or New Hampshire claimed to be. The invitation was accepted, and the useful union was effected. But this was not done without much protest from men who suffered either in person, property, or opinions, under the grasping and bigoted rule of the Bostonians. Nor did Winthrop and his less scrupulous associates fail to practice, both in acquiring and maintaining their power outside their own charter, some of those arts which better become the worldly bargainer than the pious seeker after salvation for himself, and righteousness and peace towards others. There were touches of the pirate also — for trade and piracy were not distinctly separated by Englishmen in the days of Elizabeth and the Stuarts — in the unmerciful seizure of lands and power legally granted to others, by the holders of the Massachusetts patent, — itself transferring power beyond what the authority granting it desired or thought reasonable. Even

in dealing with light-minded rascals like Morton of Merrymount, who lived in their own territory, and while their authority was yet "in the gristle," as Burke said of their successors, Endicott and his companions transgressed English law, and heightened the prejudice against them at Charles's court, where their royal charter had been procured at much cost.[1] So, too, the accusations of Morton, Ratcliff, and Sir Christopher Gardiner, three years after the charter was procured, fell through because money was freely and shrewdly used against the promoters of that inquiry, Sir Ferdinando Gorges and Captain Mason. And it was this hostility of the earlier grantees and more loyal gentry, interested in the colonies of Maine and New Hampshire, which seemed to justify the Bostonians in

[1] C. F. Adams, who has written much on this period of Massachusetts history, says in his Introduction to Morton's *New English Canaan* (page 52): "At the court of Charles I everything was matter of influence or purchase. The founders of Massachusetts were men just abreast of their time, and not in advance of it. . . . It has never been explained how the Charter of 1629 was originally secured. . . . That the original patentees of Massachusetts bribed some courtier near the King, and through him bought their charter, is wholly probable. Every one bribed, and almost every one about the King took bribes. That the patentees had powerful influence at Court is certain; exactly where it lay is not apparent. . . . Winthrop's brother-in-law, Emanuel Downing, was especially serviceable, — a lawyer of the Inner Temple. There is reason to suppose that he had access to influential persons, — possibly Lord Dorchester may have been amongst them." It is curious that in July, 1630, Dorchester was very angry with Captain Mason, for holding up the claim of a certain lieutenant for a gratuity for which no warrant existed.

undermining and finally setting aside the rights of Mason and Gorges in their own limits. It required forty years to accomplish this, and in case of New Hampshire it was soon labor lost; but the work was begun in 1633.

When the trial of the accusations against the Bostonians came up in London, Captain Thomas Wiggin, who had been associated with Captain Mason's colony at Berwick and Little Harbor, and who had a patent himself for what is now the town of Stratham, happened to be in England, and bore testimony in favor of Winthrop and Endicott, and (practically) against Mason. It is noticeable that the accusations themselves have disappeared, and that a forged paper, bearing the name of Wiggin as one of two signers (Captain Walter Neale being the other), and dated August 13, 1632, early appeared among the documents used in contesting the claim of Robert Mason, long afterward. Whether Wiggin had any hand in this forgery is unknown; but in October, 1633, appears the first mention of any claim by the Bostonians to New Hampshire. Winthrop then wrote in his journal, October 11, 1633: "Capt. Wiggin of Pascataquack wrote to the Governor, that one of his people had stabbed another, and desired he might be tried in the Bay [that is, in Boston] if the party died. The Governor answered that if Pascataquack lay within their limits, (as it was supposed) they would try him." In 1635 Wiggin again wrote to Win-

throp desiring to have two criminals at Pascataqua tried in Boston, but in neither case did Massachusetts then take jurisdiction. Wiggin continued to desire it, however, and when the union was effected, ten years after his first application, he was treated with unwonted favor by the Boston Puritans, and for many years had a share in their oligarchy.

On the other hand, Walter Neale, who represented Mason and Gorges in New Hampshire and Maine, was at variance with Winthrop for one of those acts which the Puritans defended, but which carries a bad name with it. In June, 1631, Neale had sent to Winthrop from Pascataqua a packet of letters from Gorges to Sir Christopher Gardiner, supposed to be in Boston. Winthrop entered in his journal (June 25), this: —

"In the packet was one letter to Thomas Morton (sent prisoner before into England) by both which letters it appeared that he [Sir F. Gorges] had some secret design to recover his pretended right, and that he reposed much trust in Sir Christopher Gardiner. These letters we opened, because they were directed to one who was our prisoner, and had declared himself an ill-willer to our government."

Two years later, being in Boston on his return from England (August, 1633), Neale declared to some of his friends who urged him to call on Winthrop, that he had not been well entertained, the first time he was in Boston, and besides "he had

some letters opened in the Bay." To this last Winthrop made answer, not quite consistently with his entry in June, 1631: "For his letters he protested his innocency (as he might well, for the letters were opened before they came into the Bay)." Whoever opened them, it was an act hardly justifiable among gentlemen.

Another transaction concerning the Hilton patent at Dover Point, across the Pascataqua from Wiggin's Sandy Point patent, shows what pains the Bostonians took to acquire land rights for their Puritan friends in New Hampshire. Edward Hilton came over before 1628, and was in possession of his patent then; he sold much of it to some Bristol merchants, who had it for two years. Then the Governor and magistrates of Massachusetts wrote to their Puritan friends in England, Lord Say, Lord Brooke, Sir R. Saltonstall, Sir A. Haslerigg, Mr. Bosville, George Wyllis, William Whiting, Edward Holyoke, etc., urging them to buy out the Bristol men, "in respect they feared some ill neighborhood from them." Probably they were Church of England men, like many of the Portsmouth planters. The lords and gentlemen named above did buy the granted land of the Bristol merchants, paying £2150 for it, and, after holding it some ten years, and sending over settlers (presumably Puritans), in June, 1641, Mr. Wyllis, Mr. Saltonstall, Mr. Holyoke, and Mr. Makepeace, for themselves and partners, "put the said patent under

the government of the Massachusetts." This was one of the final steps before assuming jurisdiction over the four towns of New Hampshire. One of these towns, Hampton, had already been granted by the Bostonians to a Puritan colony, headed by Rev. Stephen Bachiler (September 6, 1638), and in October John Winthrop, Jr., then living at Ipswich, had gone with Bachiler to lay out the town.[1] Two years before they had encroached on Mason by building a house in what was afterwards Seabrook.

While these things were going on in New England, the Charter, and the very existence of the Boston Puritans as a colonial power, were seriously threatened in England. The enmity of Mason and Gorges had been excited by acts of unfriendliness (such as opening their private letters), and Morton himself, a ready witness against the Bostonians, was in London with them. Laud had become Archbishop of Canterbury in August, 1633, and a new influence, unfavorable to Winthrop and Endicott, had frequent access to the king. In Febru-

[1] Bachiler, who was ancestor of the Sanborns, Husseys, and Wings in America, as well as of Daniel Webster and many of his own name, was seventy-seven in 1638. His career in England and America has been traced by the present writer, and by Mr. Victor Sanborn of Illinois, in the *Sanborn Genealogy*, and in several contributions to the *Granite Monthly*, and the *Genealogist* of Exeter, England. He was born in 1561 and survived until 1659, dying in the same year with Rev. Peter Bulkeley, the founder of Concord, but in England, to which he returned in 1654, from Hampton.

ary, 1634, somebody, presumably Morton, had called Laud's attention to the fast-increasing migration of Puritans (whom Laud hated with a pure heart, fervently), toward Boston. An order was at once issued by the Privy Council, delaying the vessels ready to sail that way, and Cradock, the London chief representative of the Massachusetts Company, was ordered to produce his charter for the inspection of the Council. To this he replied that it was not in his keeping, having gone out to New England in 1630; and he was directed to send for it at once. The usual arguments were now offered to the pockets of those about the Council, and the vessels were released February 28, 1634. But a new move was in preparation, and, on the 10th of April following, a strong commission, with Laud at its head, was created by royal order, to regulate all the colonies. It was, and long continued to be, a subcommittee of the Privy Council, and at first included both archbishops, four earls, a baron, two baronets, and two secretaries, Cooke and Windebank, any five of them being a quorum. Their first business was to nominate a royal governor-general, then to dissolve the old New England Council, under which Gorges and others had acted, and finally to vacate the Massachusetts Charter, which had been called in. All this was in view, according to Morton, May 1, 1634; but with that weak delay which was a feature of the king's conduct, nothing decisive was done, except to dissolve the

old New England Council. This was nominally done June 7, 1635, in a formal surrender of its powers by the Council; but even then it did not take full effect, for meetings of the Council were had November 26, 1635, March 22, 1637, and November 1, 1638. Yet its powers in America ceased, and Laud, a year before, had issued an order (June 17, 1634) enjoining the establishment of the Anglican Church in all places of trade and plantation. The Puritans in Massachusetts and New Hampshire therefore knew what was in store for them if they could not evade or defy the power of Laud.

The first impulse at Boston was to resist force with force, as the Scotch did a few years later, when Laud tried to coerce that stubborn people into Episcopacy. When the evasive answer of Edward Winslow of Plymouth, who went to England to temporize, was set aside, and, in April, 1635, Laud announced, by the bigoted king, that Gorges was named governor-general, and that he could not suffer "such numbers of people to run to ruin, and in religious intents to languish, for want of timely remedy and sovereign assistance," it was seen that a crisis had come.

The declaration of Laud in 1634, intended to impose Episcopacy on Massachusetts, alarmed the magistrates there, and the first impulse was to arm themselves and fight against it. The ministers of the few existing churches, Roger Williams having been placed under ban, met in Boston in Janu-

ary, 1635, and unanimously resolved "to defend our lawful possessions if we are able; if not, to avoid and protract." By the cunning use of the second alternative they were able to secure the first without violence. The active colonizers of the Anglican Church party, Gorges and Mason, though anxious to ship men and legal powers to Boston, for the installation of Gorges as governor-general and the reinforcement of Mason's settlements on the Pascataqua, had first to build their ship and engage their men, and this cost much money which could not easily be raised. The king could not aid them; he was living from hand to mouth by ship-money and forced loans, rather than summon a parliament. Laud could not, for all his church revenues and fines must be devoted to his fanatical suppression of Puritanism and the sects in Britain. Gorges had exhausted his means in the twenty years' struggle to plant colonies in Maine and maintain his Massachusetts rights against the active Bostonians. This threw the weight of the financial business upon Mason, who had wealth, but was actively engaged in the king's affairs, as paymaster of the army and navy, and reformer of the abuses therein,[1] and he had paid out much money

[1] A letter from Mason to Windebank, in the summer of 1635, shows the abuses of money matters in the English forts and castles, and proves Mason a worthy official But he says his pay is but "13s. 4d. per diem, — a very small pay in consideration of his so great travail and expenses, and the service that he is to perform." This would be less than £300 a year, slowly paid.

in New Hampshire, without return. Consequently, when the ship he was building for Gorges came to grief, the grand enterprise which was to introduce the Laud and Wentworth policy of "Thorough" into New England lagged and languished. Mason died in the December following, and in 1636 Winthrop in his Journal was able to say (May 31): —

"The last winter Capt. Mason died. He was the chief mover in all the attempts against us, and was to have sent the general Governor, and for this end was providing shipping; but the Lord, in mercy, taking him away, all the business fell on sleep, so as ships came and brought what they would, without any question or control."

The powers of Mason as Vice-Admiral, who in that capacity was to regulate immigration, died with him; and nothing further was even attempted till in 1637 the king actually appointed Gorges as governor-general. But nothing came of this either. Gorges never saw New England, except in that exploring voyage with Mason from Newfoundland, in 1617, if indeed he undertook that, or came in 1619, which is doubted. His agents, and those of Mason and his widow, could make no head against the active push of the Bostonians, and by 1643, when Laud and Wentworth were dead, and Charles at war with his English foes, Massachusetts had tolerably full control of the four little republics between the Merrimac and the Pascataqua.

The first act of the Bostonians at Portsmouth was as bold a defiance of Laud, not yet sent to the scaffold, as could well be. In May, 1640, the colonists sent by Mason and headed by their Governor and Assistant, Francis Williams and Ambrose Gibbons, with Henry Sherburne, John Pickering, Dr. Ronald Fernald, Anthony Brackett, and a dozen more, had built a chapel, parsonage, etc., and set aside fifty acres for a glebe, constituted churchwardens, and invited an Anglican clergyman, Rev. Richard Gibson, to be their first pastor, — confirming all this by a solemn deed with their signatures. But the General Court at Boston summoned this parson before them, "for scandalising the government and denying their title," but discharged him upon his promise to leave the country. Winthrop, noticing this fact, says (1642): —

"At this Court appeared one Richard Gibson, a scholar, sent some three or four years since to Richman's Island, to be a minister to a fishing plantation there, belonging to one Mr. Trelawney of Plymouth in England. He removed from thence to Pascataquack, and this year was entertained by the fishermen of the Isle of Shoals to preach for them. He, *being wholly addicted to the hierarchy and discipline of England*, did exercise a ministerial function in the same way, and did marry and baptise at the Isle of Shoals, which was now found to be within our jurisdiction."

He was practically banished, his chapel and manse and glebe were left unoccupied, until the

Puritan ministers who went on missionary duty at Portsmouth took possession, and finally they came into the hands of the Puritan minister first settled there, Joshua Moodey, in 1658. This was an anticipation of what the Presbyterians did in England some years later, a clerical ancestor of George Washington being so evicted.

"Found to be within our jurisdiction" simply meant that Massachusetts had finally decided it was safe to encroach on the lands granted to Mason and Gorges. As soon as the English courts could be got to rule on the case, they promptly set the Boston claim aside; and this was again done in 1738, when the bounds between New Hampshire and Massachusetts were finally established as they now are. But until the Restoration of Charles II Boston had its way, and even after that (1672) bought out the Gorges charter, and became legitimately owner of Maine. Meantime, Wheelwright, the banished minister, finding his old enemies coming into power at Exeter, in his own colony, removed to Wells, to be out of their jurisdiction. Exeter, wishing to supply his place, invited the aged founder of Hampton, Rev. Stephen Bachiler, who also was called to Casco, near where his frustrated Plough colony was to have been. But Boston was unwilling that he should preach in either place, alleging quarrels as the excuse. He then removed for a time to Portsmouth, preaching as a missionary, and apparently without obstruction from Bos-

ton. Wheelwright, after a few years, was persuaded to make a nominal submission to his persecutors, and was allowed to take his old friend Bachiler's place at Hampton, as a sort of compromise between the contending Christians who had turned Mr. Bachiler out.

These clerical squabbles having been settled in some sort, the general government of New Hampshire under Massachusetts went on fairly well. Portsmouth at first was not represented in the Boston General Court, except in one year, when Steven Winthrop, the Governor's son, somehow got in, before going to England to serve in Cromwell's army. Nor was Exeter ever represented there; but Dover and Hampton steadily, from the first, and Portsmouth after 1651. The Pascataqua towns had their own court, to which they elected their own justices, but Massachusetts also sent judges to try important cases there, and most of the cases for Hampton and Exeter. Town bounds were established by order of the Boston legislature, and extensive land grants were made, sometimes in Boston and oftener by the towns themselves. When new towns were called for, the General Court granted them and defined their extent. Little of this was done, however, until Charles II made the Colony a royal Province in 1679–80.

At Portsmouth, in 1651–52, Massachusetts exerted authority in a singular manner, through one of its own citizens, Bryan Pendleton of Watertown,

who had transferred himself and his large property to New Hampshire, where he at once became influential and aggressive, as Richard Waldron had been making himself in the adjoining town of Dover. It was at this time that the widow of Captain Mason, having sent a kinsman of her husband, Joseph Mason, to look up her neglected interests, was beginning to make a stir for her rights and those of her grandson, Robert Tufton, who was to inherit the New Hampshire property, upon taking the name of Mason. Consequently, the Portsmouth residents and newcomers, who had somehow entered into possession of land, houses, etc., which really should have gone to the heirs of Mason, began to be uneasy about their tenure of what they had acquired, part by assumption, part by settlement of claims for service, and part by town grant from the township of Strawberry Bank, as it was then styled. They appealed to the Massachusetts authorities to protect them against the claims of the Masons, and Pendleton seems to have been there very much for that purpose. He was already a captain in the militia, and had been a member of the Massachusetts General Court. On the 5th of April, 1652, he became chairman of the Strawberry Bank "townsmen" (equivalent to "selectmen"); and that very night he and his colleagues, Pickering, Fernald, Sherburne, and Johnson, proceeded to destroy or conceal such parts of the former town records as they did not choose to copy into a new

record-book. It is probable, from subsequent events, that this was done in part to obliterate certain recorded transactions which might help the case of Mrs. Mason, if left in condition to be used in court. There may have been other reasons for the unusual act, but none such clearly appear. At any rate, the record of land-grants and other acts of the town, which must have existed, however imperfect, have not since been seen, though allegations about them have been made and are on record. If the forgeries to which the names of Walter Neale, Thomas Wiggin, and George Vaughan were attached were made at this time or soon after, they may have helped the scheme of the squatters on the Mason lands, for that was their manifest intent. Captain Pendleton was then sent as deputy from the town to the Massachusetts legislature, and provided with a petition that the name of Strawberry Bank might be changed to Portsmouth. This was granted in 1653, and he continued to sit for Portsmouth in the General Court most of the time for ten years.

He was a member, therefore, when one of the most characteristic of the severities and lenities of the Bostonians toward their northern fellow-citizens took legislative and judicial form. In 1652 the Court had made a law defining as a misdemeanor the act of any one preaching on the Sabbath who was not a regularly ordained minister. It was aimed specially at Joseph Peasley and Thomas Macy of

Salisbury, who had sometimes exhorted the Christians in that town at the meeting-house. Lieutenant Robert Pike of Salisbury, for many years its foremost citizen, denounced this law, and was heard to declare "that those members who had voted for it had violated their oath as freemen; that their act was against the liberty of the country, both civil and ecclesiastical; and that he stood ready to make his declaration good." Upon this bold speech, the authorities voted that Pike was guilty of defaming the General Court, and ordered that he be disfranchised, disabled from holding office, bound to good behavior, and fined 20 marks, — about £13 6s. For various good reasons, Pike was popular in Hampton as well as in his own town of Salisbury, and Christopher Hussey, a leading man in New Hampshire for many years, seems to have advised a petition in his behalf to the General Court, which was probably drawn up by his nephew, John Samborne.[1] It was respectful in tone, but seemed to

[1] The first page of this petition, in the original autograph of the Hampton signers, is preserved at the State House in Boston, — the Massachusetts signers being copied on annexed sheets in another hand. It was reproduced in facsimile by Victor Sanborn, a descendant of many of the signers, in his *Sanborn Genealogy*, and is perhaps the fullest collection of autograph Hampton names of that early period. Among them, though not in autograph, was that of Edward Gove, afterward famous, who signed as of Salisbury, though living in what was properly Hampton, because the Massachusetts men had pushed their line half a mile beyond what their charter allowed, — an encroachment which the order of Charles II in 1679 corrected.

undervalue the offense of Pike, which in the eyes of Boston was heinous. It was signed by nearly all the leading citizens and members of the church in Hampton and Salisbury, and ran thus: —

"Whereas our loving friend Leaftenant Robert Pike of Salsbery hath by occasion, as it is witnessed against him, let fall som words for w'h this hon'rd Court hath bine pleased to censuer him, — Wee haveing had experiance that he hath beene a peaceable man and a useful instrument amongst us, doe thear for humbly desier this honnered Court that the sd sentance maye be revoaked and that the sd Leaftenant Pike bee againe restored unto his former Libertye. Soe shall wee stil praie," etc.

On the margin of this startling page the old clerk of the deputies at Boston, William Torrey, wrote: "The deputies desire the honored magistrates to declare their Apprehentions in this Case in the first place." It was the upper branch, the magistrates, who seem to have formulated the wrath and grief of Boston at so flagrant a fault: —

"The Court cannot but deeply resent that so many persons, of several towns, conditions, and relations, should combine together to present such an unjust and unreasonable request as the revoking the sentence passed the last court against Lieutenant Pike and the restoring him to his proper liberty, without any petition of his own, or at least acknowledgement of his offence, fully proved against him; which was no less than defaming this court, and charging them with breach of oath, etc. — which the petitioners call some words let fall by occasion."

This aggrieved Court then appointed commissioners in the several towns of Hampton, Salisbury, Newbury, Andover, and Haverhill, to call the petitioners together, "or so many of them at a time as they think meet, and require a reason of their unjust request, and how they came to be induced to subscribe to said petition." Captain Wiggin of the Stratham patent, the early and constant instrument of the Bostonians in England and New Hampshire, was designated to make this inquisition in Hampton. In the mean time, however, the Bostonians saw they must retreat a little, as they did when pressed, whether from England or New Hampshire, and they repealed the obnoxious order "concerning public preaching without allowance; which order, we understand, is dissatisfactory to divers of the brethren whom we have cause to respect and tender." But they would not pardon the obdurate men who held by the petition; for Wiggin, whose son soon married the granddaughter of Governor Dudley, reported in Hampton, "That those persons that gave their hands to that petition do acknowledge their offence, and humbly desire the Court to pass it by; except two persons who refused to make answer to any satisfaction; whose names (Christopher Hussey and John Samborne) are here underwritten." Accordingly these two recusants, along with thirteen others in the Massachusetts towns, were made to give bond in £10 for each man "to give answers for their offence before the county

court."[1] Partly in consequence of this affair, Macy and the children of Hussey soon became Quakers, and John Emery of Newbury a few years after, being one of the recusants, was again brought up before the court and fined for "harboring Quakers." Pike paid his fine, and was enfranchised again in 1657; this was followed in 1658 by his election as a deputy to the General Court which had fined and disfranchised him. From that time onward he was seldom out of public employment, and was usually conspicuous on the side of justice and common sense, as against the foolish bigotries of the Massachusetts Puritans. He took no part in the legislation against the Quakers in 1658, and he coöperated with Dr. Walter Barefoot in 1662 in releasing the Quaker women so cruelly sentenced by the merciless Major Waldron of Dover.

That affair also was characteristic of the Massachusetts Puritans, and not of the general good sense and humanity of the New Hampshire people. The order of 1652, rescinded by the Bostonians in 1654, was, as the rescinders "conceived [rightly understood] to be safe, and much conducive to the pre-

[1] It is worth mentioning that the two Hampton recusants were recommended in 1679 to King Charles by Sir William Warren for royal Councilors of his new Province of New Hampshire, and that Hussey was appointed. It was this recommendation, perhaps, that led Chalmers to say, a hundred years later, "The statesmen of those days sent to Wapping for recommendations of proper persons."

servation of peace and truth among us; yet that all jealousies may be removed, the Court doth repeal said order." But when instead of residents and good citizens "preaching without allowance," like Macy, English Quakers began to come into the Colony, Boston was aroused to fierce wrath against them and their abetters. On the 14th of October, 1656, the Puritan authorities at Boston denounced the followers of George Fox in these words: —

"Whereas there is a cursed set of heretics lately risen up in the world, which are commonly called Quakers, who take upon them to be immediately sent of God, and infallibly assisted by the Spirit to speak and write blasphemous opinions, — despising government, and the order of God in church and Commonwealth, speaking evil of dignities, reproaching and reviling magistrates and ministers, seeking to turn the people from the faith, and gain proselytes to their pernicious ways, — this Court doth hereby order," etc., etc.

What were these orders? (1) That a shipmaster bringing known Quakers into Massachusetts or New Hampshire, or the Maine seaboard, should be fined £100, and imprisoned till this was paid or secured; next that he should carry them back to the place where he took them on board. (2) That the Quakers themselves be "forthwith committed to the house of correction, and at their entrance to be severely whipt, and kept constantly to work — and none suffered to converse or speak with them during their imprisonment." (3) That persons import-

ing "Quaker books or writings concerning their divilish opinions" be fined £5 for each book, and whoever "shall disperse or conceal any such, and shall not immediately deliver the same to the next magistrate," be also fined £5. (4) That any person defending *ex animo* Quaker opinions or books. be fined 40 shillings for the first offence, £4 for the second, and if still persistent "shall be committed to the house of correction till sent out of the land, being sentenced to banishment." (6) And lastly, "What person or persons soever shall revile the office or person of magistrates or ministers, as is usual with the Quakers, shall be severely whipt, or pay the sum of £5."

Barbarous as this law was, it was made worse in 1657–59, and in 1661, by other enactments punishing the harboring of Quakers, and directing the cutting off their ears and boring through their tongues, and inflicting death if any return after banishment; and removing all distinction between domestic and foreign Quakers. Under this unlawful death penalty, totally repugnant to English law, though that was cruel enough in the seventeenth century, three Quakers, William Robinson, Marmaduke Stephenson, and Mary Dyer, were sentenced by Governor Endicott in person, to be hanged in October, 1659, and were hanged on Boston Common, and buried there. In all this wicked legislation, Richard Waldron of Dover coöperated, being a deputy from his town every year from 1656 to

1663, inclusive. He was therefore a suitable person to execute these laws in New Hampshire; and he made his town and Colony infamous by passing the following sentence, as magistrate, on three Quaker women, December 22, 1662: —

"To the Constables of Dover, Hampton, Salisbury, Newbury, Rowley, Ipswich, Wenham, Lynn, Boston, Roxbury, Dedham, and until these vagabond Quakers are out of this jurisdiction: [1] —

"You and every of you are required in the King's Majesty's name, to take these vagabond Quakers, Anna Coleman, Mary Tompkins and Alice Ambrose, and make them fast to the cart's tail; and drawing the cart through your several towns, to whip them upon their naked backs, not exceeding ten stripes apiece on each of them, in each town; and so convey them from constable to constable till they are out of this jurisdiction, as you will answer it at your peril; and this shall be your warrant. Per me, Richard Waldron."

[1] This list of towns points out the road the cart was to follow: from Dover through Wiggin's Stratham patent to Hampton, thence through Hampton Falls and Seabrook along the present electric railway line to Salisbury. There, ferried over the broad Merrimac, they came to Newbury Port, where Emery and Greenland lived. Had not Barefoot intervened, they would then have followed the old winding road through Rowley, Ipswich, and Wenham, avoiding Salem, to Lynn, and so on. Barefoot, who was a scion of a mercantile family in London, the head of which for a century and a half held the ancient manor of Lambourn on the Rodon in Essex, had come to Kittery in 1657, probably in one of the naval vessels of Cromwell, on which he may have been surgeon. He and his sister, Sarah Wiggin, were Anglicans, however, and joined with Jocelyn, Champernown, and others of that faith in resisting the Puritan domination.

According to uniform tradition, quite supported by his brave and crafty character, Dr. Walter Barefoot, then practicing medicine in Dover, where Thomas Wiggin, Jr., was his brother-in-law, met or followed this lamentable procession in Salisbury, and there, with the connivance of Major Pike, a magistrate, took the poor women from the constable, under pretext of delivering them in Newbury to the constable there. Instead of which he set them free, perhaps with the aid of his brother physician, Dr. Henry Greenland, then newly come to Newbury to practice, and John Emery, one of the recusants of ten years before, with Lieutenant Pike.

When the Quaker historians came to narrate these infamies, they said, and perhaps with truth, that the warrant signed by Waldron was actually written by the Dover minister, Rev. John Rayner. The whip used was three-thonged, so that ten stripes meant thirty blows; and the peculiar cruelty of this flogging from town to town, as Mr. Adams has said,[1] was that "the victim's wounds became cold between the times of punishment, and in winter sometimes frozen, which made the torture intolerably agonizing." Charles II, a good-natured person, with all his vices and treasons, was shocked at

[1] See *The Emancipation of Massachusetts*, by Brooks Adams, pp. 148, 149. The view taken by this author of the general Puritan policy is rather extreme, but his facts and comments concerning the persecution of Quakers are generally sound.

what he heard from Boston of these Quaker whippings, and sent over a letter in 1661 forbidding such punishments, and directing the accused Quakers to be sent to England for trial. It was partly in consequence of these enormities, though chiefly at the instance of the ancient colonists who had been loyal to their king, that Charles in 1664 sent over his commissioners to bring the Boston Puritans to account for their encroachments on his father's patents and his own subjects. This was the beginning of the end, so far as the Puritan domination was concerned, although it was nearly twenty years more before Massachusetts gave up her control in New Hampshire; and she sought to reëstablish it under William III.

Nothing satisfactory to the heirs of Mason was done by the Massachusetts authorities from 1651 to 1654. The reason for this may perhaps be found in statements made by Francis Champernown and other early settlers at Portsmouth, when the royal commissioners, Carr, Cartwright, and Maverick, came to New Hampshire in 1665 to inquire into the administration of the Puritans there. They said, and the case seems to have been much as here stated, whatever justification the Portsmouth Puritans may have had for their action: —

"Your petitioners have been kept under the government of the Massachusetts by an usurped power, whose laws are derogatory to the laws of England. Under which power five or six of the richest men of this parish

have ruled, swayed and ordered all offices, both civil and military, at their pleasures. . . . And at the election of officers the aforesaid party, or the greatest part of them, have always kept themselves in offices for the managing of the gifts of land and the settling of them: whereby they have engrossed the greatest part of the lands within the precincts of this plantation into their own hands. The parties we petition against are Joshua Moodey, Minister, Richard Cutt, John Cutt, Elias Styleman, Nathaniel Fryer, Brian Pendleton, Merchants."

Bryan Pendleton has already been mentioned. The brothers Cutt (who afterward had their name spelled Cutts by their descendants because they found or imagined a connection between their family and that of the brave Lord Cutts who fought under Marlborough) were wealthy merchants who established themselves in Portsmouth some time before 1650. They soon came to be the richest proprietors there, and perhaps the richest merchants in New England. They occupied, and claimed to own, the "Great House" built for Captain Mason by Humphrey Chadbourne, one of his servants, and they had large estates in land. A third brother, Robert, coming over later, founded a family on the Maine side of the Pascataqua, but had interests in New Hampshire. Stileman and Fryar were men of less importance, but active in business, and clerkly by education. Mr. Moodey, the minister, was of another type, but well fitted to lead his parishioners in aggression or resistance; a learned, religious, and

brave man, educated at the Puritan college of Harvard, and doing credit to his training there. To him, as to Winthrop and Cotton, Endicott and Norton, the Puritan cause was the cause of God and His saints; and they had little hesitation at enrolling themselves among the saints. Moodey had come to Portsmouth from a tutorship at Cambridge, where he graduated in 1653, and was settled as minister for more than a dozen years before he gathered a church, — probably because of the great number of Anglican and irreligious persons in his town. We shall hear more of him under the Cranfield government.

Charles II had been but a few months on the throne, when, in November, 1660, the heirs of John Mason and his partners, styling themselves "patentees and inhabitants of the Provinces of Hampshire and Maine, and several other tracts of land in New England," petitioned the king for justice. Robert Mason, then a London merchant, and Edward Godfrey, who had been an agent of Gorges in Maine, were the chief petitioners, alleging that in settling and improving "sundry tracts of land in New England, with diverse privileges thereunto granted" they had expended above £20,000; "they governing the colonies quietly and peaceably many years, according to the laws of your Majesty's kingdom of England." This might be true of Maine under Gorges and Godfrey, but was true only for a few years of Mason's colony. They went on to

allege, raising a prejudice against their Massachusetts opponents, —

"That during these late sad times of distraction in England, those of the patent and Colony of the Massachusetts, intending to make themselves a free state, and to bring all that your Majesty's vast territory under their power and subjection, have by strong hand and menaces deprived your petitioners of their lands and privileges, seized on their cattle, and would have imposed an oath of fidelity to their government, without any relation to your kingdom of England; laying great fines upon those that should seek to England for relief."

This also was true of Maine and of some few individuals in New Hampshire, but was rather an exaggeration. They then asked that their case might be referred to a board composed of Lords Willoughby and Baltimore, Dr. Robert Mason, Sir James Bunce, Sir John Jacob, Sir Nicholas Crisp, Sir Richard Ford, Drs. Giles Swett, John Exton, William Turner, and John Myles, and Thomas Povey, Esq. This was done. Of this board of twelve, only seven, Sir James Bunce, Sir Richard Ford, Mr. Povey, and Drs. Mason, Exton, Swett, and Myles, seem to have sat. They reported in 1667 that they should only state facts, but render no opinion; and among such alleged facts were these: —

"The said John Mason and the said Edward Godfrey did expend considerable sums of money in settling colonies. Neither they nor the Massachusetts grantees were

to act anything repugnant to the law of England; nor was the corporation of Boston in New England to extend their limits further than three miles northward of Merrimac River. And as a memorial and evidence thereof the government of the Massachusetts did set up a house about 30 years since, which was called the Bound House, and is known by that name to this day. The inhabitants and corporation of the Massachusetts rested contented for sixteen years together, until, about the year 1652, they did enlarge and stretch their line above threescore miles beyond their known and settled bounds aforesaid. And have thereby not only invaded and encroached, but by menaces and armed force compelled your Majesty's subjects to submit to their usurped and arbitrary government, which they have declared to be independent of the Crown of England, and not subordinate thereto. The Colony of the Massachusetts hath for many years past endeavored to model and contrive themselves into a free state or commonwealth, without any relation to the Crown of England; and some have been so bold as publicly to affirm that, if his Majesty should send them a Governor, the several towns and churches throughout the whole country under their government did resolve to oppose him."

This report was made January 21, 1667, after a hearing at which John Leverett, the Boston agent, was present, but without special authority. The board also said that Robert Mason and Edward Godfrey "had been damnified to the value of £5000." Invidious as this report was, and based more on the proceedings in Maine than those in

New Hampshire, the facts stated could not be flatly denied, though they could be ingeniously explained. Massachusetts had tried to make itself a commonwealth; indeed, had called itself so; had adopted and executed laws unknown to England and repugnant to the English system; had encroached on its neighbors, used menaces and a show of force, and had even proposed resistance to a royal order.

The commission of 1664 had been sent out and had made its report ere this board of 1667 reported. But in May, 1664, Robert Mason, who was ever dilatory, had written to Colonel Nichols, a commissioner, making him his attorney for the disposal of lands in New Hampshire, and giving these statements: —

"My grandfather, John Mason, expended about 8000 pounds there, the benefit of which we enjoyed till about 1650. There are now about 1000 families on the land. I have a kinsman, Mr. Joseph Mason, living at Portsmouth, who was formerly my agent; but by reason of his age not now able to act therein."

He then sent Nichols a power of attorney, witnessed by Mason's two clerks, Robert Barlow and William Story, — which power Nichols, at the suggestion of his brother commissioners, made over to Nicholas Shapleigh, — and gave Nichols this fair direction as to occupants of his lands "that have been improved for others at their charge:" "I leave that to yourself, to take such rent as may give them encouragement." Indeed, had the matter

been left to Mason and fair-minded men on both sides, an arrangement could have been made, equitable to both. But the affair became complicated with the question of the Bostonian misdeeds and the determination of the king to have crown colonies there, and so a just settlement was so long deferred as to be impossible.

The commission of Charles II was signed by him April 25, 1664, and two of his commissioners, Samuel Maverick and Robert Carr, landed at Portsmouth July 20, whence they notified William Coventry, the English statesman, and the Boston authorities of their arrival; but they proceeded at once to the Duke of York's territories, of which a third commissioner, Colonel Richard Nichols, was Governor. A fourth was George Cartwright, and all were able and fair-minded men, but devoted to the Cavalier interest and the Church of England. Maverick was an early colonist, having come to New England in 1624, six years before Winthrop, whom he entertained at Winisimet in his fortified house, late in June, 1630. He was a Cornish man, born in 1602, well educated and courteous, and was described by John Josselyn, the botanist, in 1638, as "the only hospitable man in all the country, giving entertainment to all comers, gratis." His home was in what is now East Boston, and he owned the whole island. In a religious persecution by the Puritans (1648) he was imprisoned and fined, and in 1650 sold his fine island and removed

with his family to Virginia, or some other colony more tolerant than Boston Bay. Before the Restoration he was in England, and it was largely upon his representations and those of the Maine colonists that he and his colleagues were sent over in 1664. In his preamble to their commission Charles II said: —

"Several of our Colonies in New England, and other our loving subjects, have complained of differences and disputes arisen upon the limits and bounds of their several jurisdictions (whereby unneighborly and unbrotherly contentions have and may arise, to the damage and discredit of the English interests), and that all our good subjects residing there, and being planters within the several colonies, do not enjoy the liberties and privileges granted to them by our several charters."

These complaints were well founded as regards New Hampshire, Maine, and Rhode Island, and the aggressors in all cases were the Puritans of Massachusetts. But it was a year later that the commissioners began their inquiries in New Hampshire and Maine. In the mean while the once arrogant, persecuting Bostonians sent a whining and unmanly letter to King Charles, prostrating themselves at his royal feet, and lying there indeed, as these passages will prove: —

"As the high place you sustain on earth doth number you here among the gods, so we hope you will imitate the God of Heaven, in being ready to maintain the cause of

the afflicted, and the right of the poor. . . . In this case, dread Sovereign! our refuge under God is your royal self. . . . It is indeed a grief to our hearts to see your Majesty put upon this extraordinary charge and cost, about a business the product whereof can never reimburse the one half of what will be expended upon it. For such is the poverty and meanness of the people of this country, that if, with hard labor men get a subsistence for their families, 't is as much as the generality are able to do. . . . Sir, the allknowing God knows our greatest ambition is to live a poor and quiet life, in a corner of the world, without offence to God or man. . . . We are carefully studious of all due subjection to your Majesty. And should divine Providence ever offer an opportunity wherein we might, in any righteous way, according to our poor and mean capacity, testify our dutiful affection to your Majesty, we hope we should most gladly embrace it. . . . Let our government live, our patent live, our magistrates live, our laws and liberties live, our religious enjoyments live! so shall we all have yet further cause to say, from our hearts, let the King live forever!"

Hardly a statement in this fulsome address was true. The country was not poor, the Puritans were not afflicted, nor loyal, nor ambitious to live in quiet; and their gravest falsehood was to say, "We keep ourselves within our line, and meddle not with matters abroad." The commissioners were right in charging them with encroachments thus: —

"It was great reason and high time for us to give over treating in private with those who, by sound of trumpet denied that authority which the King had over them,

and by which we were to act. The fixing, naming and owning a Bound-house, three large miles north from Merrimac River about 12 years together, by the Corporation of the Massachusetts (after the fixing of which Bound-house many other patents were granted by the Council of Plymouth and by the King), must necessarily determine the limits of the said Corporation. . . . The King did not grant away his sovereignty over you when he made you a corporation. When His Majesty gave you power to make wholesome laws and to administer justice by them, he parted not with his right of judging whether those laws were wholesome, or whether justice was administered accordingly. When he gave you authority over such of his subjects as lived within the limits of your jurisdiction, he made them not your subjects, nor yours their supreme authority. . . . 'Tis possible that the charter which you so much idolize may be forfeited; and it may probably be supposed that it hath been many ways forfeited, until you have cleared yourselves of those many injustices, oppressions, violences and blood, for which you are complained against."

Here was a plain denial of the Massachusetts right over New Hampshire and Maine, and a summing up of the Puritan injustice toward Baptists and Quakers. But in a later report to the king, Carr and Maverick were more specific, and told more truth than the Bostonians were ready to refute.

"To elude His Majesty's desire of their admitting men civil and of competent estates to be freemen, they have made an act whereby he that is 24 years old, a housekeeper, and brings one certificate of his civil life,

another of his being orthodox in matters of faith, and a third of his paying ten shillings, besides head-money, at a single rate, may then have liberty to make his desire known to the Court, and it shall be put to vote. Scarce three in a hundred pay 10s. at a single rate; yet if this rate were general it would be just; but he that is a church-member, though he be a servant, and pay not twopence, may be a freeman. They will not admit any who is not a member of their church to the Communion, nor their children to baptism; yet they will marry their children to those whom they will not admit to baptism, if they be rich.

"They have put many Quakers to death of other provinces. First they banished them as Quakers upon pain of death, and then executed them for returning. They have beaten some to jelly and been other ways exceeding cruel to others. . . . Amongst other laws, whoever keeps Christmas day is to pay five pounds.

"They hope by waiting to tire the king, the lord chancellor and the secretaries too; seven years they can easily spin out by writing, and before that time a change may come. On September 10, 1664, they published by order of Court a paper to deter and frighten all from making any complaint to the Commissioners."

These acts of the Bostonians did not all apply to New Hampshire, but many of them did, and they were very anxious not to have their authority in that Colony or in Maine questioned. For circulating a petition to the king signed by several respectable citizens of New Hampshire, asking for a separate government, the Massachusetts authorities, Dan-

forth, Lusher, and Leverett, caused Abraham Corbet of Portsmouth to be sent to prison in Boston. While there, Sir Robert Carr of the Commission went to see him and to find bail for him, and was then (December, 1665) presented with a petition from John Hoar, ancestor of Senator Hoar, complaining of injustice in the Puritan courts. For this Mr. Hoar was fined £50. The commissioners were unable to effect anything important by their authority, and they were recalled by King Charles in 1666, with directions to the Bostonians to send over agents to England, to present their case to the Lords of Trade and Plantations, who long had succeeded to Laud's commission of 1634. It then appeared that one object which the king had at heart was to revive the claims of Mason's heirs to New Hampshire; and as this was a chief occasion of the final establishment of that Colony as a royal province, it becomes important to tell the story of these claims, which kept the courts, the people, and the Legislature of New Hampshire busy and troubled for more than a hundred years.

CHAPTER III

THE MASONIAN CLAIMS

At the death of Captain Mason in 1635, he left his New England property to his wife, and ultimately to his grandson, then an infant, upon his taking the name of Mason, instead of his baptismal name of Tufton. Mrs. Anne Mason died in 1654, and in 1655, upon coming of age, Robert Mason administered upon her estate and began to form hopes of profit from his grandfather's expenditure and grants in New England. In 1659 he petitioned Parliament for relief, and in 1660 petitioned, as already mentioned, in concert with others, to have the affair referred to a committee for information, which committee reported in favor of Mason's claim. Thereupon the New England Commissioners were directed to examine into the claims of Mason in New Hampshire; and they partially heard his case at Portsmouth, deciding only that Massachusetts had no rightful authority there. Encouraged by this, Joseph Mason, then about seventy, and preparing to return to England, left the care of the lands and rights to Nicholas Shapleigh, whom Colonel Nichols made attorney for Robert Mason; and

Shapleigh began to lease lands in the Colony to his political friends, among them Dr. Barefoot. In writing to his kinsman Robert, Joseph Mason, in 1667, said that he knew from Major Pike of Salisbury that the Massachusetts magistrates were willing to restore to Mason his right of lands, adding, "Pike would take pains to be one of three to end this rupture." This indicates that moderate men in Massachusetts did not dispute Mason's equitable claim. But Joseph Mason added, "Nothing must be conceded to those men of the best estate at Portsmouth [the Cutts, Pendletons, Fryar, and Stileman], for they would only confirm themselves in their own grants of land, which they have given to one another by the waterside, where 100 acres are worth 1000 farther inland." This year (1667) he says two friends of Mason, Edward Hilton of Exeter and Walter Barefoot of Dover, have taken two tracts of land on Lampereel River, "reserving a yearly rent to the Lord Proprietor," Mason. The transaction brings Barefoot in for the first time as a Masonian champion, but the date is thrown back a year earlier by one Captain John Littlebury, who wrote the Massachusetts authorities that he was once governor of Holy Island, near Berwick on the Scotch coast, and that in 1666 he had been injured by Barefoot and Shapleigh in a land deal. The letter is dated in 1669, and alleges: —

"In 1631 he had paid 300 pounds to John Mason and his associates in colonizing New Hampshire, Griffith

Gardner and Thomas Eyres, as an adventure there: for which, in 1663, the survivors, Gardner and Eyres, had agreed to give him a fourth part of their property, — his promised share being 6000 acres; but now he hath been deluded three years, to his great hindrance and damage, by Captain Champernoon, Major Shapleigh, Dr. Barefoot, and other grand incendiaries to the present government [that is, of Massachusetts], and that Shapleigh hath lately made leases of lands for 1000 years to Mr. Hilton of Exeter, Dr. Barefoot, and others." [1]

[1] This is perhaps the only appearance of this Holy Island Captain in New England story, where captains are so numerous. It looks as if he was a genuine sufferer by a land speculation; for who would have invented a tale of a Scotch captain appealing to Massachusetts for redress? Perhaps this appeal throws light on the relation of David Thomson, also a Scot, to Captain Mason and the Little Harbor settlement of 1623, which seems to have been Mason's affair; yet Thomson had a patent for 6000 acres of land and an island, belonging to some citizens of Plymouth, and granted in 1622. Can the island have been Great Island, now New Castle, and did the Plymouth proprietors make it over to Mason, while Thomson was yet a resident at Little Harbor, just across a ferry from Great Island? The indenture is between David Thomson, Abraham Colmer, Nicholas Sherwill, and Leonard Pomery, — the last three living in Plymouth as late as 1630. Cotton Mather says that his father, when at Plymouth, England, in 1692, heard "from Mr. Sherwill," a minister there, that his grandfather and two others "had a patent for that which Mr. Mason pretended unto at Pascataqua." In the Public Record Office at London there is mention under the year 1622, "of a patent to David Thomson, M. Jobe, M. Sherwood of Plymouth, for a part of Piscattowa River in New England." This, except the blundering names, agrees with Mather's story. I conclude Thomson was either an agent for Mason, or sold out the 6000 acres to him, — reserving his indefinite island, but turning over Great Island to Mason, while fixing on Thomson's Island in Boston Bay for his own. This theory

From this time until the death of Robert Mason, while accompanying Sir Edmund Andros, of whose Council he was, to Albany in September, 1688, the claims of that family were an occasion for disturbance in Massachusetts and New Hampshire. Joseph Mason's fair offer, in 1653, to have the claims settled by inquiry and arbitration, was neglected by the General Court, to whom he made it, and this dispute went on to the bitter end, resulting in the dispossession of Massachusetts from the control of New Hampshire in 1679, and in the loss of Boston's idolized charter, as Maverick had foretold, in 1686. In canceling that charter, James II put into the Council for governing all New England and New York Robert Mason and his cousin, Edward Randolph, and also Francis Champernown, John Usher, and Jonathan Tyng, all favorable to Mason's claims. In spite of this, the speedy overthrow of Andros's government, and the stout resistance of the New Hampshire yeomanry to the demand of Mason for rents, made the pecuniary result to Mason and his heirs very small, and its obtaining difficult and vexatious. Robert Mason seems to have been a person of gentle, even weak character, always in debt, and depending much for the support of his cause on the more aggressive and persistent Randolph, his kinsman, and the shifty and courageous Barefoot, his friend in New Hampshire.

makes Thomson a part of Mason's testimony to the truth of his claim.

The claim of John Mason was well founded, and has had small justice allowed it by the Massachusetts historians and scholars. It came into conflict with the practical rights of the hardy planters who had settled on Mason's lands, and earned by toil their right to be exempt from rack-rent. There, of course, it failed and fell; but when it conflicted, as it did, with the assumptions and encroachments of rich merchants and powerful landlords, like Richard Cutt, Richard Waldron, and other members of the Puritan oligarchy in New England, equity was often on the side of the Mason family. Walter Barefoot and the Hiltons, with all their affection for the Church of England and the Stuart family, were not ill friends to the poor and persecuted in New Hampshire; and Barefoot, with his oaths, his brawls, and his land deals, gives a flavor of English good humor to the otherwise insipid annals of parish squabbles and litigious controversy. It is droll to see how persistently the Massachusetts Puritans connected bigamy and the desertion of English wives with difference of religious opinion. If a Sir Christopher Gardiner shows himself near Boston, or a reckless Tom Morton plays the mischief at Merry Mount, he must needs have deserted a wife in Britain or France. So, too, with Walter Barefoot. So long as he lived peaceably with the Wiggin family, and practiced medicine successfully in Dover, he was not censured. But when he became troublesome to the Lords Brethren in Boston, by

setting Quaker women free or getting the better of a kinsman of the Winthrops in a land speculation, Barefoot was a candidate for bigamy, and a swearer of round and horrid oaths. Having got into controversy with the Puritan magnates, it was (1671) reported that he had deserted a wife in England; and in March, 1676, when he and Randolph were beginning their long assault on the Massachusetts Charter, the required evidence was furnished by a convenient deponent, one Davis, who testified: —

"That in the year 1662, being in England, there came to my lodging a woman who said she was the wife of one Walter Barefoot, who was, as she said, in New England. She complained she was in a very low condition, and desired me to endeavor to get him to send her some maintenance; for she had not received anything from him, and she had two children to maintain, and had no subsistence for them. Further, there came an ancient man to me, who inquired if I knew one Walter Barefoot in New England. I told him I did. He said, he was a very knave, in that, desiring him to be security for him to a merchant in Mark Lane (as I remember) for linens he had of him, promising to send pay for the same, but never did; so that the old man was forced to lie in the King's Bench; he was then a prisoner, as he said. These things I acquainted Mr. Barefoot with when I came over; who owned the linens he had taken up. And as to his wife, I do not remember he disowned her; though, it being so many years since, I cannot speak expressly to it."[1]

[1] Byron, in the fifth canto of *Don Juan*, introduces an English-

Whatever his English experience had been, — and on that point we have little information, — Dr. Barefoot was a thorn in the flesh to the Puritans in their domination over New Hampshire and Maine. His friend and professional brother, Dr. Henry Greenland of Newbury and Kittery, was also very troublesome; but he was more easily disposed of than Dr. Barefoot, after a career of chirurgery, speculation, and politics. Greenland had come over from England in 1662, five years after Barefoot, and partly by reason of his acquaintance; he lived in Newbury, near the Merrimac, until 1666, when he went to Kittery, and joined Barefoot in some of his business. He also took part with him in favoring the claims of Mason, and opposing the wealthy Cutt brothers, one of whom he plotted to have seized and carried over to England, in 1670, as a traitor to King Charles. There had been a quarrel a few years earlier about hot words spoken by Richard Cutt against the royal commissioners, to which Dr. Greenland had given

man of the Morton and Barefoot type, who, explaining himself to Juan, says: —

> "I cried upon my first wife's dying day,
> And also when my second ran away:
> . . . . . .
> 'Well, then, your third,' said Juan, 'what did she?
> She did not run away too, did she, sir?'
> 'No, faith.' 'What then?' 'I ran away from her.'"

Barefoot in his will, while leaving a large estate, and remembering his English cousin, John Lee of Chadwell St. Mary's, near London, says nothing of any wife or children in England. This was in 1688.

testimony; and one of the final transactions of Cartwright, Carr, and Maverick in Portsmouth in July, 1665, was to leave on record these singular papers: —

(By Maverick.) "Whereas there is a report given out that I should return the name of Mr. Richard Cutt unto my Lord Chancellor, among those which I conceive to be rebellious, — I confess, on his being accused for some words tending that way, I intended so to have done; but on better information and consideration, I see no just cause for it, nor have I done it."

(By the three Commissioners.) "We do hereby testify that we do freely forgive Mr. Richard Cutt of Portsmouth, concerning any injury which he might be supposed to have done us by some words which he was accused to have spoken against the King's Commissioners (about having a dagger put into their bellies or guts) or words to the like purpose. And if the said Cutt never molest Thomas Wiggin of Dover, or Dr. Greenland of Newbury, for giving in evidence against him, or for reporting him to be the author of such words, we promise never to produce those writings and evidences which they have sworn to before us, to his hurt or damage. In witness whereof I have hereunto set my hand and seal this 17th day of July, 1665, George Cartwright. Do. do. set my hand and seal this 24th day of July, 1665, Robert Carr. Do. do. set my hand and seal this 24th day of July, 1665, Samuel Maverick."

When it is remembered that this younger Wiggin was the brother-in-law of Barefoot, and Greenland his intimate friend, it will easily be inferred

how warm had been the controversy between the advocates of Mason and the men who were living on his alleged property at Pascataqua. In spite of this reconciliation, the quarrel was revived in 1670–72, and it was this, with Greenland's ill conduct in other ways, which led to his banishment from Maine in 1673. The decree was made the year before, but he was allowed until September 1, 1673, to depart. He sold his possessions in Kittery, partly to Barefoot, and removed to New Jersey, where he was living at Barefoot's death in 1689. In 1671 Barefoot himself was sentenced by the vindictive Massachusetts magistrates for his "profaneness and horrid oaths," and they went on to say: "It appearing that he left a wife and two children in England, we do sentence him to return forthwith to England by the next ship; and that he shall henceforth be debarred to practice chirurgery or physic in any part of this jurisdiction."

In spite of this severity toward the friends of Mason, and the constant protest of Massachusetts that he had no rights in their New Hampshire, and that the Bostoners, as Mason called them, had just and absolute control there, these claims would not rest quiet. They had two foundations, — a series of grants from Charles I directly or through the New England Company, which were just as valid as the Massachusetts Charter, and no more so; and the settlement of a part of the tracts granted, by servants and partners of Mason, and a large out-

lay of money in effecting that. The Massachusetts Puritans and their partisans in New Hampshire and Maine had expended more money, and had held on to their colonies, but their legal and equitable right was no better than John Mason's, whose heirs had the Crown of England on their side. But against them was the steady, sturdy belief of the mass of the New Hampshire planters, men of toil and thought, who, as Emerson said of the embattled farmers of Concord, "supposed they had a right to their corn and their cattle, without paying tribute to any but their own governors." They had not profited by the outlay of John Mason; they were not stripping his woodlands or defrauding him of what he had bought and paid for. They had brought their own lands from a wilderness condition to a garden fertility; they had encountered summer heat and winter cold, while the Masons were living easily in London, and enjoying the sunshine of Court favor. So they resisted the payment of quit-rent, and thereby made New England measurably free from the evil of a land tenure such as kept Ireland in poverty and strife, and separated the idle from the laborious caste in most European countries, to the manifest harm of both. A Massachusetts scholar, with that bias against Mason and for the Puritans which has so much warped the truth of New England history,[1] thought that a

[1] Mr. Charles Deane, in *Proceedings of the Massachusetts Historical Society*, for May, 1876. The researches of this gentleman,

recognition of Robert Mason's claim to the New Hampshire lands, "fostered by a government unfriendly to the liberties of its subjects, was one of the greatest misfortunes that could have befallen the settlers on the soil; a prolific source of annoyance, which continued for over a century." But this claim resisted and defeated was of great benefit to them in the maintenance and development of their free commonwealth. It united them in a cause easy to understand, gave them confidence in each other, an invincible self-reliance, and enabled them to make head against the bigotries of Massachusetts, as well as the usurpations of English landlords and governors. When the more serious crisis of the Revolution in 1775 came, they knew exactly what to do, and they went resolutely forward to do it. Both then and in the earlier troubles of the Stuart régime, worthy individuals suffered hardship, and property rights were too much disregarded, but the final issue was worth the cost. In certain ways Massachusetts was hardly less unfriendly to the liberties of the people, especially on the religious side, than were Laud and the Stuarts; and it is the glory of New Hampshire that both were stiffly resisted.

Edward Randolph, whose tart and unamiable character will sufficiently appear, was a good friend

in regard to David Thomson and his English partners, have been careful and useful; but he carried a natural skepticism rather too far in his inferences and denial of inference.

to his kinsman, Robert Mason, and gave him better advice than he was always willing to follow. After the failure of Cranfield's efforts to maintain Mason's claims, in which he, as governor, had a pecuniary interest, Randolph, in the autumn of 1685, was made postmaster for New England. He then wrote to a friend: "What profit arises I design to Mr. Mason's young children in England. I allow them now £20 a year, till his better fortunes will afford them a larger supply. I shall not be wanting to do him and his all the service that lies in my power; being very unwilling to think he should be obliged to come for England, to be exposed to his merciless creditors." A little earlier Randolph had reported to another friend (October, 1685): —

"Last week Mr. Blaithwait[1] was proposing that Mr. Mason should quit his pretensions in New England, and lay all at His Majesty's [James Second's] feet, upon His Majesty's making him governor of Bermuda, and allowing to him and his heirs two or three hundred pounds yearly, forever; to be paid out of the quitrents which will, in a short time, arise upon this settlement. For the people will rather pay to His Majesty sixpence an acre, than one farthing to Mr. Mason. I fear his grants will hardly hold out upon a trial at the Council board.

[1] Mr. Blaithwait was the long-standing and well-skilled clerk in the Plantation Office at London, who took the money of applicants, and favored or opposed them according to the sum paid, or party interests at the time.

He is sure of all assistance from the plantation office; but his enemies have the larger purse."

Randolph was wise in this suggestion, and it was well for New England that Mason did not accept it. Fastened upon the planters in the form of royal quitrents, the claim would have been shaken off with difficulty, upon the accession of William III, who was easily persuaded to continue New Hampshire as a province, in order that Allen, who had purchased the claim in part, might realize money from it.

The English judges, who in 1677 ruled in favor of Mason as against Massachusetts, were tender of the rights of the planters, whom they styled "terre-tenants." Their title must be tried by juries "upon the place," in accordance with ancient English law; and this decision, when fairly carried out, gave the planters their case. A land-tenure held for the benefit of absentee landlords in England could not appeal to a jury of colonists living on their own acres. Those acres they held by the hard tenure of toil unceasing, and military service against a savage and treacherous foeman. Were they to pay rent upon the graves of their slaughtered children, buried within sight of their rooftree, that the Indian might not unbury and mutilate their bodies? Must they deny themselves the better house in frozen winters, or a bedstead for wife and daughter, that silver might be sent across the ocean to the dainty revelers in London palaces? Pleas like these,

unspoken but keenly felt, moved every juryman who had not been bought to stand by the cause of his neighbors, which was also his own.

On two separate occasions the Mason claim to the ownership of New Hampshire had much to do with preserving the Colony from being swallowed up in Massachusetts, — in 1676–79, when the interest of the heirs added to the resolute purpose of Charles II to humiliate Massachusetts ; and again in 1690–92, when Samuel Allen, who had bought a controlling share in the claims, prevailed on William III to let the decision of his Uncle Charles stand, and New Hampshire remain a royal Province by itself, though joined with Massachusetts in executive government. On both occasions the majority of the residents would probably have voted to unite with the Puritan colony, — at the first, from the experience of fairly good government for a whole generation, and at the second (1690–92), from disgust at the ineffective tyranny of the royal governors and council. One of this council was Mason himself, who, as Chalmers says, " was placed at the head of the provincial Council, and was enabled to choose two burgesses to the Assembly." His feeble character made this opportunity practically useless to him. Chalmers, in 1782, who had access to original papers long withheld from American historians, but was prejudiced against colonial rights, states the case fairly enough when he says : " The New Hampshire planters had an equitable, Mason

a legal right;" but he adds, with a Tory sneer, that these planters "were animated by principles which never recede, because they claim the gifts of society as the rights of Nature." In their case they made the society which had gifts to bestow, and they had subdued that rude nature which lay wild about them. At the date when they won their first victory over the claims of Mason, they numbered hardly more than four thousand. In 1671, when Mason was urging his claim in London, he had written, with substantial truth, though in too optimistic a tone: —

"New Hampshire is a place the best improved for land, and most populated of any in those parts; abounding plentifully with corn, cattle, timber and fish; and the people live generally very comfortably and happy; having a great trade to all parts, and store of shipping at their town, Portsmouth, which exports and imports yearly some thousands of tons of goods, of their own growth and foreign. Goods exported yearly are, 20,000 tons of deals and pipestaves, 10,000 quintals of fish, ten shiploads of masts, and several thousand of beaver and otter skins. The imports are, 300 tons of wine and brandy, 200 tons of goods from the Leeward Islands, and 2000 tons of salt."

This former happy condition is confirmed in a letter of a dozen years later, written by Simon Bradstreet to Randolph, complaining of the effect of Cranfield's tyranny (December 8, 1684).

"It is no small grief to us in Massachusetts to hear and see the miserable condition of our neighbors in New Hampshire; once a hopeful and flourishing plantation, but now in a manner undone, — no face of trade, nor care for anything else, their own vessels being afraid to come into their own ports, as some of them have declared unto myself. This makes our people dread the like condition."

It must be remembered that in the interval between 1671 and 1684 the serious Indian war of King Philip had occurred, and New Hampshire had suffered heavily by it, like the rest of New England. It was this which gave peculiar sting to the exaction of rent demanded by Mason. Neither he nor his family had done anything, for more than forty years, to benefit the planters, while the Boston Puritans had lent a helping hand to those of their own faith, both in peace and war. This was strongly set forth in 1680 by William Vaughan, a connection of the Cutt family, and a pupil of Sir Josiah Child, the English financier, who thus replied to Mason in a letter to Charles II: —

"Mr. Mason has not obeyed the conditions of his grant, viz. the peopling of the place and enlargement of your dominions, — both of which have been vigorously intended by the present inhabitants. The 'vast expense of his estate' is mostly if not entirely pretence. . . . We were possessed of the soil long before Massachusetts meddled with us: indeed, we invited Massachusetts

to govern us, to prevent the confusion of anarchy. We could not govern ourselves; and, being under their government, used their system of allotting lands, but never thought of deriving any propriety from them in those lands which, under you and your royal predecessors, were accounted our own. Instead of the final expulsion by Massachusetts alleged by Mr. Mason, we can plentifully prove that the undertaking was slighted and the whole place deserted both by Capt. John Mason and his agents, many years before Massachusetts was concerned therein."

This also is a partisan statement, but with much truth in it. It was a favorite notion of the Boston Puritans that New Hampshire could not get along without them. Four of them in May, 1691 (Henry Ashurst, Increase Mather, Elisha Cooke, and Thomas Oakes), joined in a letter to influence the inclusion of the northern colony in the new Massachusetts charter, and said: —

"The people date their ruin from the time when New Hampshire was separated from Massachusetts. It will be no one's interest to make New Hampshire a distinct government now; as it cannot pay the expenses nor defend itself. If every grant were held to imply distinct rights to govern, there would be more governors than towns in that province."

These conflicting statements have been disposed of by the course of history. The small province was not ruined; it got its separate government,

rather against its own wish, paid its frugal expenses, defended itself, and helped defend Maine and Massachusetts, and escaped the extreme religious intolerance of the Puritans, without falling under Episcopacy.

CHAPTER IV

NEW HAMPSHIRE A PROVINCE

WHAT the Masons and Godfreys, the Shapleighs and Champernowns, had been trying for fifteen years to effect — the separation of New Hampshire from Puritan domination, at least outwardly — was brought about in two or three years by the more energetic action of Edward Randolph, who, from 1676, for thirteen years, was the spirit within the wheels that moved the clumsy colonial administration of the Stuarts and their councilors. After his defeat and expulsion from New England at the downfall of Sir Edmund Andros, and when he was pestering the colonial governors of Maryland and Virginia, Colonel Copley, then governing Maryland, said of him: "With his exorbitant and malignant temper, he has done here what he has done elsewhere, — made the country weary of him. He says he has lived for five and twenty years on the curses of the people; and I am sure he never lacks them." This was his reputation in New England, but he did not wholly deserve it, bitter as his animosity became toward the colonial officials.

Randolph was the son of an Englishman of the

same name, who studied medicine in Oxford and at Padua, and practiced it in Canterbury. A younger son, Bernard Randolph, resided and traveled long in the Levant, half a century after young John Winthrop and his friend, Sir Kenelm Digby, were there; and he wrote a small but excellent book about those islands and countries. Edward, the head of the family (born in 1632, died about 1702), was well educated, but devoted himself to an active life in public business. Naturally a Tory and loyalist, he profited by the Restoration to gain office, though never so well placed as he thought he deserved; and, being akin to the Mason family, he took the view they had held for many years about the Massachusetts colonists and their political ambitions. Being sent over to Boston and Portsmouth on a special mission in 1676, he so industriously collected facts, and so ingeniously presented them, that he soon gave the Court reason to constitute New Hampshire and Maine as separate governments, while prosecuting its main purpose of annulling the Massachusetts charter, with that of Connecticut, and ultimately bringing all New England under a governor-general, such as Charles I fancied he had found in Sir Ferdinando Gorges.

The ground had been prepared for Randolph's incessant activity and complete success, so far as New Hampshire was concerned, by the petitions of the Masons and the measures of the convinced but inefficient royal Commission of 1664. The

plausible answers of the Massachusetts oligarchy lost their effect in England by the inconsistent deeds which accompanied these loyal protestations. King Charles had been equally inconsistent; for after showing mercy to the Quakers in New England, he had allowed them to be cruelly proceeded against in London; and while urging liberty of conscience on Endicott and Leverett and the Boston ministers, he had been mercilessly persecuting Scotch and English dissenters. Randolph, with all his virulence against the Puritans, had juster notions of toleration than either Charles or the Massachusetts bigots, and succeeded in forming a small party of moderates in the New England colonies, among whom might be reckoned Bradstreet, Stoughton, Bulkeley, and Pike in Massachusetts, Josiah Winslow in Plymouth, and John Cutt and Walter Barefoot in New Hampshire.[1] He was at first sanguine of easy success in bringing all New England to submit to the king, and to make Mason rich by the rents of his New Hampshire lands. He reached Boston early in June, 1676; and though treated with some incivility by the Governor and a part of the Council, and boldly told that the Colony was not bound by the laws of England, having power

[1] It may be thought strange that Barefoot is reckoned among the moderate men; but his private relations with the Wiggin family, and his business dealings in the three colonies of Maine, New Hampshire, and Massachusetts, though involving him in lawsuits, do not seem to have destroyed general confidence in his judgment and good nature. His true career is yet to be described.

by charter to make its own laws, and that charter having been confirmed by the king in his letter of 1662; yet Randolph found so many loyalists in Boston that he went cheerfully on to Portsmouth in July, and examined the situation in the four towns which it was proposed to make into a province, either by themselves or in conjunction with the Maine settlements. Or rather, he appears to have thought that Mason's claim to the whole country between Salem and the Pascataqua would be maintained by the king; for he spoke in his report of a territory "belonging to Mr. Mason, but now divided by the Bostoners into three counties, Norfolk, Suffolk, and Middlesex." The malcontent churchmen and Quakers in Dover, Portsmouth, and the Maine towns complained loudly to Randolph, alleging that they had no religious and little political freedom, and that the magistrates sent among them from Boston to try suits laid what fines and taxes they saw fit, contrary to English law. This was partly true, but did not amount to a general grievance. More serious was the menace of the Massachusetts authorities when the minority in the invaded towns wished to assert their loyalty by petition to the king, and claimed a right of appeal to their sovereign, which the Puritans had steadfastly denied.

Returning to Boston after a fortnight's absence, he found his reception cooler, and even hostile. Leverett, then Governor, reproved him for publish-

ing to the people the purpose of his mission, and stirring up, as was said, mutiny and disturbance, withdrawing the people from their obedience to the Massachusetts magistrates. Randolph replied that if he had done amiss, complaint should be made to the king, who would do justice. This did not please the Puritans, who, upon Randolph's departure for England, confidently told him that "those who blessed them, God would bless, and those that cursed them, God would curse." They added that "whatever reports were raised against them by wicked and evil-minded men, to draw away the king's favor from them," the Massachusetts colonists were "a people truly fearing the Lord," and very obedient to Charles II. Randolph did not believe this. He reported them as actually in revolt, and suggested a forcible way of bringing them to submission: —

"Three frigates of 40 guns, with three ketches well manned, lying a league or two below Boston, with His Majesty's express orders to seize all shipping, and perform other acts of hostility against these revolters, would bring them all to His Majesty's own terms, and do more in one week's time than all the orders of king and council to them in seven years."

This advice was not adopted, but the king was evidently listening to Randolph's suggestions, and sharing his belief that Massachusetts was disloyal. Yet Randolph excepted the ministers from this

charge, saying in his report, made October 12, 1676, to the Board of Trade and Plantations: —

"The clergy are for the most part very civil, but held in subjection by the ruling elders, who govern all affairs of the church. The ecclesiastical government is in the hands of lay members, but no church censure shall degrade or depose any man from any civil dignity, office or authority."

The first point taken up by the king and council, after Randolph reached England, was the dispute over territory. As this went on in 1677, while Randolph was attacking the charter and saying that the Massachusetts colonists had "no right either in land or government in any part of New England, and have always been usurpers," the craftier Bostonians were negotiating with the grandson of Gorges for the purchase of his rights in Maine, and the deed was signed early in 1678. This frustrated a design of the king to unite Maine and New Hampshire in one province as a principality for his son, the Duke of Monmouth, and it naturally angered him greatly. Meantime the English judges, Rainsford and North, had decided that Massachusetts could extend legally only three miles north of the Merrimac, and that the heirs of Mason had no right of government in New Hampshire. Accordingly, Massachusetts was notified, in the summer of 1679, that its power over the four towns was to cease. "As for New Hampshire, the government

is to rest in the king's hands." Carrying out this policy, a council was named for the Province, John Cutt was made its president, and Randolph, in October, 1679, sailed for New York, carrying with him a commission for setting up the new authority at Portsmouth. He reached there December 27, delivered the commission to Mr. Cutt, and remained in the Province until January 22, 1680, by which date the provincial government was organized, and the domination of Massachusetts ended.

The Puritan rule had lasted in Hampton a little more than forty years; in the other three towns a few years less. It had been vigorous, often arbitrary, but in the main acceptable to the people, and they saw its termination with regret. The General Court of New Hampshire in March, 1680, in its two branches of Council and Assembly, had this to say to King Charles, of "that shadow of your Majesty's authority and government, under which we long found protection," meaning the Massachusetts domination: —

"In the late war, the barbarous natives proved a heavy scourge to us, and had certainly been the ruin of these poor weak plantations, if our brethren and neighbors had not, out of pity and compassion, stretched forth their helping hand, and with their blood and treasure defended us."

In the same letter they thanked the king for "not imposing strangers upon us," but making up the Council of residents and leading citizens. Such

was indeed the character of the first royal Council. The four towns were each represented in it, Portsmouth by four merchants, all Puritans, Dover by Richard Waldron, the Puritan enemy of Quakers, Hampton by Christopher Hussey, ancestor of many Quakers, but a Puritan, and Exeter by John Gilman, head of the powerful Gilman family of after years, of large estate and Puritan opinions. John Cutt, the president, was aged and infirm, but fair minded, less hasty than his brother Richard, and yet firm in the Puritan interest. They were at liberty to choose three other members, who were Elias Stileman of Portsmouth, but formerly of Salem, Samuel Dalton of Hampton, a nephew of the former minister Dalton, and Job Clements of Dover, — all pronounced Puritans and hostile to Mason's claim. Martyn of Portsmouth was made treasurer, and Stileman secretary, pending the arrival of Richard Chamberlain from England, whom the king had made Secretary of his Province. The president named Waldron as his deputy or vice-president, who in little more than a year succeeded Cutt upon his death. The first act of the Council, after reluctantly taking the oath prescribed, of allegiance and supremacy, was to call an Assembly by election, and make up a list of voters therefor. These numbered but 209 in the Province, — 71 in Portsmouth, 61 in Dover, 57 in Hampton, and but 20 in Exeter. They chose eleven deputies for a popular branch, — John Pickering, Robert Elliott, and

Philip Lewis from Portsmouth; young Richard Waldron, Peter Coffin, and Anthony Nutter from Dover; Anthony Stanyan, Edward Gove, and Thomas Marston from Hampton; and Ralph Hall and Bartholomew Tippin from Exeter. The two branches met in a tavern at Great Island, and in March following had a code of laws voted, for the king's approval, with this proviso at the beginning of them, as a kind of Bill of Rights (March 16, 1680): —

"It is ordered and enacted by this General Assembly and the authority thereof, that no Act, Imposition, Law or Ordinance be made or imposed upon us, but such as shall be made by the said Assembly, and approved by the President and Council from time to time. That Justice and Right be impartially administered unto all: not sold, denied or causelessly deferred unto any."

In support of this claim of full parliamentary powers, the Assembly cited seven English statutes from Henry III, Edward III, Richard II, and Charles I as guaranteeing their rights. This was a good beginning, and the Province and State have maintained these powers without diminution, most of the time for more than two hundred and twenty-three years.

It was not the intention of Charles II, however, to allow so broad a liberty, after his Governor should have arrived, and the claims of Mason had received public attention, in the manner directed

by the royal commission or charter. His Secretary, a gentle, inefficient person, fond of music and subservient to the Mason party, was to have certain powers, not dependent on the Assembly; his Governor, Edward Cranfield, a gentleman of a decayed and impoverished family, who had held a place about the Court, was to have important powers, which he exercised tyrannically. Robert Mason was appointed to the Council, and came over soon after Chamberlain arrived, in December, 1680; but earlier in the year the Assembly had passed a law confirming all titles to land, which was intended to negative Mason's claim, though the king had required the Province to allow it. Mason's presence and assertion of his title at once raised a quarrel, in course of which Mason returned to England to make his complaint there. Randolph had also returned to England, after having battled with the Massachusetts authorities in regard to the collection of revenue, leaving Barefoot as his deputy to collect duties and prevent illegal trade in New Hampshire. The Navigation Acts restricted trade greatly, and much of it really was illegal; but when Barefoot, in March, 1681, published a notice requiring all vessels at Portsmouth to enter and clear under his authority, he was arrested and tried before Waldron and the Council as a court, and fined ten pounds. His offenses were thus set forth: —

"For having in a high and presumptuous manner set up his Majesty's office of customs without leave from the

President and Council, in contempt of his Majesty's authority in this place; for disturbing and obstructing the subjects in passing from harbor to harbor and from town to town; and for his insolence in making no other answer to any question propounded to him but 'My name is Walter.'"

As Barefoot was serving directly under royal commission, this allegation that he was in contempt of the king's authority was of the same nature with the Parliament's declaring they acted under the king's authority in making war upon Charles I. The lessons of Massachusetts independence were not lost on the New Hampshire Puritans, who were soon in practical revolt against their sovereign.

Randolph and Mason, acting together in England, were able to obtain from the Court anything they wanted except money; and late in 1681 Mason came back to Portsmouth with a mandate from the king requiring the royal councilors in New Hampshire to admit him as a member, which they obediently did. His agents in the mean time were demanding rents, while he was forbidding the planters to cut firewood and timber on his lands, and threatening to sell their houses if they paid no rent. The king, though he had promptly disallowed the laws passed in 1680, among them the Bill of Rights, had taken no pains to make his veto known in New Hampshire, and had delayed, with his customary negligence, to send over his royal Governor, Cranfield, who did not land (from an armed vessel,

at Salem) until October, 1682.[1] During this interval the people were becoming fixed in their resolve not to lease lands of Mason or to pay rent; and the early action of Cranfield seemed to encourage them in this. He took office at Portsmouth October 3, 1682, and at first, upon Chamberlain's suggestion, removed the stubborn Waldron from the Council, at Mason's request. Six weeks after he restored him, as well as Martyn the treasurer, who had also been dropped, "finding them," he wrote, "very useful for the king's service here." They were wealthy and had popular support, and he hoped to govern more absolutely through such men than through weak and unpopular persons like Mason and Chamberlain. He censured both these in his report to the Plantation Office (December 1, 1682), saying: —

"Mr. Mason has much misrepresented the whole matter, — the place not being so considerable, nor the people so humored as he reports. There are but four small towns, all impoverished by the expenses of the last

[1] Edward Cranfield was a descendant by the female line of the once powerful Catholic family of the Parkers, holding the two baronies of Morley and Monteagle, which became dormant a few years later. He was probably the great-grandson of Edward Cranfield, who married Elizabeth, daughter of that William Parker, Lord Monteagle, who disclosed the Gunpowder Plot to the king in 1605. This Edward Cranfield may have been a brother of Lionel, Earl of Middlesex. Dr. Belknap met with a Jamaica gentleman (probably named Pigott), a great-grandson of the New Hampshire Governor, who told him his ancestor was buried in the Cathedral at Bath, — really at Wells.

Indian war, and several hundred pounds in debt on that account. I find them very loyal to the king, and respectful to myself, — willing to do what they can in support of the government, but unable to do so much as has been pretended. Far from being ready to own Mason as their proprietor, they are very slow to admit of any one but the king. . . . The general wish is for a decision of the case by law. Mason thought that, by laying aside Waldern, Martyn and the principal minister, Moodey, he would have frightened the people into compliance with him; but finds himself mistaken. . . . Had I yielded to the violent courses that Mason and Chamberlain urged, I should have greatly disturbed the people, without promoting the king's interest. . . . The attempt to settle the way of the Church of England here will be very grievous to the people, whatever Mr. Mason may have said. They are very diligent and devout in their own worship, very tenacious of it, and very grateful for the king's indulgence to them therein."

This was a candid and mainly true report. The New Hampshire people have never been easily frightened into anything; and they were instinctively loyal to any legal government which regarded their public and private interests. But Cranfield had his own interest to look after. He had sold his office near the king, according to the ill fashion of the day, and was living off the proceeds. He must therefore soon begin to draw profit from his new office, and the people did not incline to bribe him for their side. He therefore accepted a yearly

fee of £130 from Mason, secured by a mortgage of the province rents, bought a house and garden for £450 (as he said), and prepared to support Mason in all his unwise exactions. Then, four weeks after the report above cited (December 30, 1682), he wrote to Halifax and the other Lords of Trade: —

"All of the late Council and chief inhabitants are part of the grand combination of church members and congregational assemblies throughout New England; and by that they are so much obliged that the prejudice of any one, if considerable, influences the whole party. . . . His Majesty's ship, *Lark*, cowed them for a time; but as long as the preachers exert themselves against royal authority, I know not where to turn for honest men to administer justice. They have been in a confederacy to carry their cause against the king; but I doubt not, in time, to reduce them to reason."

Cranfield was speaking more particularly of the illicit trade, which Randolph was then striving to regulate by seizing vessels that carried contraband, and Barefoot was aiding him in this effort. Accordingly they seized a ketch consigned to George Jaffrey, a Portsmouth merchant, and gave orders to Stileman, who commanded at the Island fort, not to allow her to pass out of the river. Nevertheless, December 19, in broad daylight, the ketch slipped past the fort without a shot, and in the court convened to try the malefactor, Jaffrey, ten days later, the jury, says Randolph, —

"Encouraged by the arbitrary and successful verdict of the Lord Shaftsbury's jury at the Old Bailey, (now become a leading precedent to the factious here) find directly against the act made in the 12th of the King, and bring in a verdict with costs against His Majesty; which the Governor highly resented, — it being a contrivance and combination of their minister, a rigid Independent, and some church members. Of which society is Stileman, Jaffrey, the pretended owner of the ketch (a Scotchman) and four of the leading men of that Jury. However, the Governor hath in the first place suspended Stileman the Council, put him out of the fort, and declared him uncapable of any place of trust in the Province; committing that charge to the care of Capt. Barefoot, one of the Council, (a sufferer here for his loyalty), — and hath likewise directed me to prosecute the jury by attaint or otherwise, and all other persons who shall be found contrivers in this escape. Resolving, as far as in him lies, to terrify at least, if not wholly to destroy this combination, carried on against His Majesty's authority and the Acts of Trade and Navigation, by a party from whom the Minister, one Moodey, a private trader, receives no small profit."

Here, then, early in Cranfield's reign, he is found assuming the arbitrary powers that his monarch

[1] The Navigation laws were continued from Cromwell's time into the Restoration, and if enforced, greatly damaged the colonial trade. They were habitually evaded, therefore, as were the revenue laws in Great Britain by the smugglers, and any effort to enforce them was sure to unite the merchants in opposition. Joshua Moodey may have had ventures in the vessels of the Puritan merchants of his flock.

had been grasping in England, and the jurymen in his province were taking pattern by the bold English juries who resisted Jeffries and the unscrupulous English judges. Having thus united in his person two weak causes, — the Mason claim, which affronted the planters, and the revenue laws, which exasperated the merchants, — it was no wonder that the disaffection in a naturally loyal people became general. His next step was to dissolve the popular Assembly, because they would not pass his revenue bills, and thus to make himself and the Council (his own appointees, if he so chose) supreme both for legislation and judicial business. They could hold courts themselves, or they could name the judges, and through the marshal could pack juries. He further proceeded to lay taxes, "since the king has entrusted the disposal and issue of money to my power, with the Council's assent." All this edifice of despotism, administered by one whose moral character was below the Puritan standard, provoked the people to active revolt, and a demonstration was made, even when Cranfield was writing to Halifax and his colleagues the words last quoted.

Edward Gove, living in the present limits of Seabrook, and representing Hampton in the dissolved Assembly, after consulting more or less with the Puritan leaders, but against their advice, on the 27th of January, 1683, armed himself, his son, and his servant, and started on horseback for Exeter, seven miles northward. Passing the house of

Nathaniel Weare, a justice of the peace, Weare attempted to arrest him ; but he pressed on, and enlisted in Exeter and Stratham eight more men, — three sons of Robert Wadleigh, a leading man, Thomas Rawlings, Mark Baker, Edward Smith, John Sleeper, and John Young, with a trumpeter, who escaped arrest, and whose name has not been preserved. All were armed and mounted, and took their road to Hampton, where the foot-soldiers of the town halted and arrested them, — the trumpeter distancing his pursuers by the speed of his horse. No resistance was made by Gove, and no blood was shed. He aimed at a demonstration for which the people were not ready, and his own eccentric character seems to have kept them back. He was held under a justice's warrant (probably Weare's), indicted by a grand jury at a special court called February 1, and tried for his life the next day, on a charge of high treason. Major Waldron sat as presiding judge, the jury were honest men of the vicinage, and the fact admitted no denial. It could not be treason except by a forced construction of the English law; but as Gove's declared purpose was to change a government existing by the king's special command, the offense could be described as levying war against Charles II. The good-natured king did not so regard it, and the barbarous sentence that had been executed on the regicides by his order was not carried out in Gove's case. Waldron, his hard nature melted to tears by the false position

in which he was placed, since he shared all Gove's disloyalty, gave the sentence thus: —

"You shall be carried back to the place whence you came [which was the fort on Great Island, used as a prison], and from thence be drawn to the place of execution, and there be hanged by the neck, and cut down alive; your entrails shall be taken out and burned before your face, your head be cut off, and your body divided into four quarters; and your head and quarters disposed of at the king's pleasure." [1]

Cranfield, who was strangely alarmed at Gove's demonstration, hurried him away to Boston for transportation to England, writing to Sir Leoline Jenkins, secretary of state (February 20, 1683): "I cannot with safety to myself and the Province keep Gove longer in custody, for I have reason to fear that he may escape. I intended to execute him here, for terror to the whole party, who are still mutinous, had my commission allowed it. I am ordered to send home rebels, —and if Gove escape the

[1] This is the only sentence of the kind ever passed in New Hampshire, and I think the only trial for treason ever held there. It is probable that Cranfield insisted on this specific offense because conviction carried forfeiture of the culprit's estate. Gove's property was sold, and the proceeds, in part, pocketed by Cranfield, who was greedy for money in his new office. After Gove's pardon by James II, the king ordered his estate "to be ascertained and restored to him," which was done, but at whose expense the records do not yet show. Many of the papers in this case have disappeared; others exist in England, at the Plantation Office of the Lords of Trade. Some that were in Dr. Belknap's hands have not come to later historians.

sentence of the law, there is an end of the king's government in New Hampshire." In regard to the other prisoners, and the occasion for haste, Cranfield added: —

"Nine others were taken besides Gove [really ten], and on trial were convicted, but security has been taken for their appearance, and they have been respited, pending significance of the king's pleasure. I hear that it is designed to petition for Gove's life, and that it is to be managed by messengers from Boston; if so, this will the more convince me that he received encouragement from that quarter. Major Pike, one of the magistrates, and a member of the faction, came to me the night before Gove's trial with several depositions to certify that Gove was of unsound mind; in order to avoid *his* prosecution I am forced to keep the militia in arms till Gove is shipped off."

Randolph, who, with all his prejudice, was a fairer-minded man than Cranfield, and who carried Gove to the Tower in London, where he delivered him June 6, 1683, has left a long account of Gove's rebellion, which may be quoted, with all allowance for its partisan tone: —

"Edward Gove, who served for the town of Hampton, a leading man, and a great stickler in the late proceedings of the Assembly, made it his business to stir the people up to rebellion, by giving out that the Governor, as Vice-admiral, acted by the Duke of York's commission, who was a papist, and would bring Popery in among them; that the Governor was a pretended gov-

ernor, and his commission was signed in Scotland, etc. He endeavored with a great deal of pains to make a party, and solicited many of the considerable persons in each town to join with him, to recover their liberties infringed ; further adding that his sword was drawn, and he would not lay it down till he knew who should hold the government. . . . Fearing he might get a party too strong for the civil power (as indeed it proved, for Justice Wyre and a marshal and constable was repulsed), the Governor, though much dissuaded, forthwith ordered the militia of the whole Province to be in arms. . . . Gove was gone to his party at Exeter, from whence he suddenly returned with twelve men belonging to that town, mounted, and armed with swords, pistols and guns, (a trumpet sounding) and Gove with his sword drawn riding at the head of them in Hampton. The Governor was taking horse, and with a part of the Troop was intending to take Gove and his company : but a messenger brought word that they were met withal, and taken by the militia of that town, and secured with a guard. The trumpeter, forcing his way, escaped, after whom a hue and cry was sent to all parts, but as yet he is not taken.

"This rising was unexpectedly to the Party made upon the 27th of January. It is generally believed many considerable persons, at whose houses Gove then either sent or called, to come out and stand up for their liberties, would have joined with him, had he not appeared in arms at that time. For upon January 30th, being appointed by the Governor a day of public humiliation, they designed to cut off the Governor, Mr. Mason and some others whom they affected not. The Governor sent a strong party (horse) to guard the prisoner, then in

irons, from Hampton to Portsmouth. They were examined before the Governor and Council, where Gove behaved himself very insolently. They were all committed to custody, and Capt. Barefoot, having the trained band of Great Island then in arms, was ordered to take care of the prisoners, and keep a strict watch upon them, in regard the prison was out of repair. February 2, they were all arraigned and indicted upon the 13th. of the King, for levying war against His Majesty. Gove pleaded to the indictment 'Not Guilty;' then Mr. Martin and Capt. Hull, both of Portsmouth, with two justices of the peace and a lieutenant of the foot-company at Hampton, who was at the taking of them, were all sworn in court. Then Gove owned the matter of fact, and to justify his taking up arms, pleaded against the Governor's power, that he was only a pretended governor, by reason that his commission, as he said, was sealed in Scotland. Likewise that the Governor had by his proclamation appointed January 30 to be annually kept a day of humiliation, and obliged the ministers to preach that day; that he had at his house discoursed to Gove, and showed him, out of the 10th chapter of St. Mark, the necessity of children's baptism; this he urged to be a great imposing upon the Ministry.

"The other prisoners pleaded not guilty, but had little to say in defence for themselves, further than they were drawn in by Gove. The jury, after long consideration, found Gove guilty of high treason upon the indictment; and all the rest in arms; upon which the court proceeded to give judgment, and passed the sentence of condemnation upon Gove. But in regard the other prisoners were specially found, the Governor ordered the court to

respite their judgment till His Majesty's pleasure should be known therein; most of them being young men, and altogether unacquainted with the laws of England."

Cranfield had named the fast day on the anniversary of Charles First's execution, as a test of New Hampshire loyalty, and a reminder of the Puritan guilt. He had no occasion to fear for his life; yet it is quite possible, had the demonstration been delayed till the 30th, that the Governor and his oligarchy would have been driven from power, as Andros and his Council were in Boston, six years later. Gove himself, writing from the Tower June 11, 1683, said to Randolph: "Had I known the laws of the land to be contrary to what was done, I would never have done it. You may well think I was ignorant of any law to the contrary, since for fourteen or fifteen years past the same thing hath been done every year, and no notice at all taken of it." What he meant by this is hard to say, unless he intended his movement only for an armed demonstration of public sentiment; yet we have no record of anything similar, though the movements in Maine against the Puritan usurpation might be so termed. But it is plain that the king and his council had no thought of hanging "the Convict of New England," as he was styled in the Colonial Office. He remained in the Tower, at the king's expense, but unmolested, for two years and nine months; was then pardoned and sent home.

Before he reached Hampton in the spring of

1686, Cranfield's despotism had fallen, and Barefoot was acting Governor of the Province. The course of the royal governor was short, and steadily downward, though he was so misguided as to suppose he might be nominated governor-general of all New England, when the charters should be withdrawn, as Randolph was steadily and successfully urging. Cranfield's New Hampshire office happened to coincide in time with that of a far wiser man, George Savile, Marquis of Halifax, who was in the English Privy Council during part of three reigns, and in 1684–85 was president of the Council. He had joined the cabinet of Shaftsbury in 1679, and by his combination of wit and reasoning in 1683 had prevailed on the peers to defeat the bill excluding James II from the throne as a Catholic. This entitled him to the gratitude of Charles and James, yet he sincerely withstood their tyrannies, as well as the gold of the French king, which found its way into so many princely pockets. Macaulay, whose hero he is, says: "When he had been found incorruptible, all the art and influence of the French embassy were employed to drive him from office; but his polished wit and his varied accomplishments had made him so agreeable to Charles II that the design failed." [1] He was still

[1] *Macaulay's History of England*, vol. i. chap. ii., near the end. The historian assumes that Halifax, and not his uncle, Sir William Coventry, was the author of the famous *Character of a Trimmer*, and that is now the best opinion. The quotation following is from the papers of Barillon, the French envoy.

in the Council when Charles died, and he was continued there by James long enough to discharge Cranfield, and set Gove free from the Tower, that had proved so fatal the year before to Sidney and Russell, Gove's most illustrious fellow-convicts.

No doubt the good sense of Halifax had something to do with the speedy resolve of the king's Council not to hang Gove; he was by their vote merely "continued in the Tower." This news reached Cranfield early in November, 1683, and he wrote at once to the lords to say: "The news of Gove's pardon has had a very ill effect on the people, as appears by the prosecution of Mr. Mason's concerns." After obtaining verdicts in his favor from a packed jury, in thirty or forty suits, Mason saw that he could not collect his rents without force, and when that was tried, the people, angered by Gove's cruel sentence and Mason's exactions, rose and repelled force with force, — "being stirred up," said Cranfield, "by Major Waldern, Mr. Moodey and Captain Vaughan. I have put the last-named out of the Council for indecent carriage and dangerous words, and put Mr. Randolph in his place." Cranfield also brought suits in his own name, and by the use of his civil and military officers sent to prison Waldron, Vaughan, Moodey, Stileman, and many of the other leading men. Some escaped at once, by the connivance of the jailer or the aid of the people; others were fined and bailed out. While this was beginning, Nathan-

iel Weare, the chief man of Hampton (ancestor of the more eminent President Weare of the Revolution), slipped out of the Province (with a sum of money raised by the planters and merchants for the cost of his mission), and took his way to London, with a numerously signed petition to the king, complaining of Cranfield's arbitrary acts and his disturbing government. Randolph was also in London, saw the petition and complaint, and wrote privately to a Boston friend (July 26, 1684): "Wyre hath lately put in articles against Mr. Cranfield, which render him here a very ill man, and in time will do his business." And it was not long after that Halifax, who had seen and heard both Weare and Randolph, was known to argue against the infamous Jeffreys for the liberty of the people in New England. Barillon reported in a letter to Louis XIV (December 1, 1684): —

"My Lord Halifax took upon him to contend, with great warmth, that the same laws in force in England ought to be established in a country inhabited by Englishmen; that an absolute government was neither so happy nor so safe as one that is tempered by laws; and that he could not make his mind easy to live in a country where the king should have power to take the money he had in his pocket, whenever His Majesty saw fit."

To this the Grand Monarque replied (he was first cousin to Charles and James, the sons of a French princess): "I do not wonder that the

Duke of York has called his brother's attention to the consequences of such a view. Lord Halifax's reasoning on the best way to govern New England scarcely merits the confidence which my cousin the king has in him." But those views prevailed in regard to New Hampshire, although Massachusetts and the other colonies had to wait a few years longer for their application. Charles II died in February, 1685, and in the following April Cranfield, already warned that his conduct was under inquiry, received (perhaps by the hand of Weare, who was then returning to Hampton) a rebuke from Halifax, president of the Privy Council, saying (April 28, 1685): —

> "You have not pursued your instructions in reference to the propriety of the soil which Robert Mason Esq. claims in the Province of New Hampshire. You were instructed, in case the inhabitants should refuse to agree with the said Mason, that you should interpose and endeavor to reconcile all differences; which if you could not effect, you were then to send to His Majesty such cases, fairly and impartially stated, together with your opinion, for His Majesty's determination. Instead whereof you have caused courts to be held in New Hampshire, and permitted titles to lands to be decided there, and unreasonable costs to be allowed."

It might have been rejoined by Cranfield, had he the spirit or opportunity to reply, that this "trial upon the place" for the protection of the "terre-tenants" was precisely what the king's

judges had suggested in 1677. But in fact Cranfield had seen that the case was going against him, and had requested leave of absence on account of his health, which was granted late in 1684, but did not take effect till June, 1685, and he sailed from Boston to Barbados June 9. Randolph had turned against him before that, and wrote to one of his patrons, Lloyd, Bishop of St. Asaph (March, 1685): —

"Whoever goes over Governor with expectation to make his fortune, will disserve the king, disappoint himself, and utterly ruin that country. . . . They are a great body of people, sober and industrious, and in time of war able to drive the French out of all their American dominions. . . . Cranfield in New Hampshire by his arbitrary proceedings has so harassed that poor people that, although they had cause to complain of the hard usage of the Boston Governors, under whom they lately were, yet they have greater reason now to pray an alteration, and wish again to be under the Bostoners. For Mr. Cranfield has quite ruined that place; and his open immorality in Boston . . . has rendered His Majesty's government very contemptible. And should a Governor go over who will tread in Mr. Cranfield's steps, or do worse things (if possible), it will cool the inclinations of good men, and make them take the first occasion to free themselves. Besides, 't will above all greatly reflect upon our Church, to have men of ill principle and debauched lives appear as the promoters of that religion they so much dishonor."

This was said partly to prevent the appointment

of Kirke, the infamous leader of the king's soldiers in the campaign against Monmouth, who was seriously canvassed for the place soon given to Andros, a far less objectionable man. Oddly, it was Jeffreys who censured Kirke for his brutality, according to Randolph, who wrote to Southwell, August 29, 1685: "I heard my Lord Jeffries give him a severe welcome to Windsor, last Sunday, and told him (Kirke) he had not only a bare report, but informations upon oaths of sufficient and loyal witnesses; and that he had done more than he could answer," etc.

After Cranfield's departure the government of Walter Barefoot was more sinned against than sinning; for that humorous functionary was growing old, and was well aware of the popular feeling against Mason and his friends. There is little record of oppression or misconduct by him or Mason, who lived in Barefoot's house at Great Island, where both of them were set upon and maltreated by Barefoot's brother-in-law, Thomas Wiggin of Dover, as their agents and officers had been in Cranfield's time by the indignant people of the Province. This occurred late in December, 1685, after Mason had posted certain declarations to the people whom he regarded as his delinquent tenants, inviting them to pay what they owed him. Wiggin and an old Dover planter, Anthony Nutter, who had served in the Assembly with Gove, and even been for a time in the Council, had called on Bare-

foot, the acting Governor, and been invited by Mason to supper. What followed was sworn to by Mason, before Secretary Chamberlain, March 6, 1686: —

"After supper, Wiggin said he and others had read the papers I had set up, but they did not regard them, nor value them at a rush; for I had nothing to do in that Province, nor had one foot of land therein, nor ever should have; and withal did give very abusive and provoking language, so that I commanded him to go out of the room. Which he did not, but asked the Deputy Governor whose the house was, — Barefoot's or Mason's? The Deputy told him that the house and servants were mine, and entreated him to be gone, and not make a disturbance. I then opened the door, and took Wiggin by the arm to put him forth, saying he should not stay there to affront me in my own house.

"Whereupon Wiggin took hold of my cravat, and, being a big, strong man, pulled me to the chimney and threw me upon the fire, and lay upon me, and did endeavor to strangle me. . . . Had it not been for the Deputy Governor, who was all that time endeavoring to pluck Wiggin off from me, I do verily believe I had been murdered. I was no sooner got out of the fire but the said Wiggin laid hands on the Deputy Governor, threw him into the fire, and fell upon him, so that two of his ribs were broke. I did with much difficulty pull Wiggin off the Deputy Governor. . . . Thereupon I called to a maid-servant to fetch my sword, saying 'the villain would murder the Deputy Governor.' The servant coming with my sword in the scabbard, I took hold thereof,

— but it was snatched out of my hands by Anthony Nutter; nor did the said Nutter give any help to the Deputy Governor."

This was scandalous; but it was a natural return for what Mason had threatened two years before, in the height of Cranfield's power. In April, 1683, while Gove was on his voyage to England, in irons, this same Wiggin, being at the same house of his brother-in-law, heard Mason say, "He would seize Major Waldron's, Moodey's, Partridge's and Captain Tippin's lands, who should not have one foot in the Province, — and that he would live on Andrew Wiggin's farm, being a good one. [A brother of Thomas Wiggin and son-in-law of Governor Bradstreet, at Exeter.] That the people had been in one rebellion, and he would force them into a second, and then hang them. That New England had now no friends in the [Privy] Council or Committee, though formerly they had the Lord Privy Seal. That he and his two sons would fight any six there, for the Province, at sharps." In the two intervening years the tide had turned, and Randolph, writing in London ten weeks before the assault on Mason, said: "Since charters are now at so low an ebb, I fear Mr. Mason will find little benefit by his antique grants in New England." Yet when Randolph came over again the next year, Mason was appointed a member of the general Council for all New England, of which Joseph Dudley was president, and Randolph secretary; and their powers

superseded those of Barefoot and his friends in New Hampshire. Mason was sent from Boston to London early in June, 1686, to carry the address of the new President and Council to James II at Windsor, where he presented it, July 26; and though he returned to Boston the following May, he never seems to have visited New Hampshire again. Sir Edmund Andros, the governor-general, reached Boston December 19, 1686, and was the nominal ruler of New Hampshire until his arrest in Boston, in April, 1689. The only member of his Council residing in New Hampshire was John Hincks, and it does not appear that Andros himself made more than a formal visit to the Province. Chamberlain was made clerk of the courts, and Pheasant Eastwick coroner; while Richard Waldron, Jr., son of the old Major, became Randolph's deputy register in the Province. The arrest and imprisonment of Andros, Dudley, Randolph, and the rest, in 1689, terminated the old provincial government, so that it will be convenient to take up the history under William III in a separate chapter. By request of hundreds of the inhabitants, among them the Waldrons and Wentworths of Dover, the Vaughans, Martins, Pickerings, Langdons, and Sherburns of Portsmouth; the Sanborns, Weares, Goves, and Husseys of Hampton, and the Gilmans and Wiggins of Exeter and Stratham, the revolutionary provisional government of Massachusetts took charge of New Hampshire

(February 28, 1690), having previously made Major Waldron commander-in-chief of the soldiers of that Province (April 23, 1689). But this veteran was murdered by Indians in his own house at Dover, June 27 following, and the controversy he had so long led against the heirs of Mason passed into other hands. A few years earlier, Robert Mason had sold to Dudley, Randolph, John Usher, Tyng, and others, a million acres along the Merrimac northward to Lake Winnipiseogee, and leased to Hezekiah Usher and his heirs all the mines, minerals, and ores of New Hampshire for one thousand years. These transactions, together with a sale of the whole Province to Samuel Allen, whose son-in-law was John Usher, in 1691, by Robert Mason's two sons, proved the fruitful source of more litigation in the early eighteenth century.

CHAPTER V

EARLY LAWS AND CUSTOMS

THE situation of New Hampshire for more than eighty years after its permanent settlement by Europeans, in 1623, was anomalous, far beyond the irregularity of most of the colonies. This was a result of frequent changes in the government, by the intrusion of Massachusetts into the affairs of New Hampshire, begun and continued through the English Revolution of 1640–1660; and, afterwards, by the efforts of the Stuart kings to overthrow the Massachusetts Charter and place all New England under one government as crown colonies. After these long-pursued and partially successful efforts had failed, by the English Revolution of 1688–89, the interference, both of Massachusetts and of royal favorites in England, was prolonged until 1741, when New Hampshire finally became an independent Province, with its own established bounds, Governors, and Legislatures. It was thus prepared for taking a unique part as Colony and State in the Revolution of 1775, and in the establishment of the nation, in 1789, under the Constitution of Washington, Franklin, and Madison, as

amended with the additions suggested by Jefferson. These anomalies in legislation and the legal practice were set forth, with learning and humor, by Mr. John M. Shirley, an eminent lawyer of New Hampshire, in 1883; but the whole story, of legislation, disallowance of laws, and conflicting jurisdictions, has never been so well told as in an edition of the New Hampshire Province Laws issued in 1903, as a volume of the State Papers. Without following all the intricacies of this story, it will be sufficient here to summarize the facts, and to show how the good sense and sturdy independence of the plain people overcame difficulties that would seem insurmountable to pedants officially prescribing what might or might not legally be done.

The four original towns, Dover, Portsmouth, Exeter, and Hampton, were, of necessity, independent republics, for they grew up outside of any established jurisdiction. Massachusetts claimed most of Mason's land-grant under its charter from the Plymouth Company of England; but in the period immediately following 1623, this charter did not exist, while from 1634 onward, until the power of Charles I and Archbishop Laud was broken by the Long Parliament in 1641, the royal favor was so plainly withdrawn from Massachusetts, and extended to the followers of the Anglican Church in New Hampshire and Maine, that Winthrop, Dudley, and the Boston oligarchy made no serious attempt to interfere with the settlements

north of the Merrimac and east of the Pascataqua.

Therefore, when John Wheelwright was banished from Massachusetts, he naturally settled at Exeter, as Churchmen and Baptists and men of no religion had settled before at Dover and the Strawberry Bank. In the same year (1638) which saw Wheelwright, Leavitt and their company at Exeter, an older friend of Wheelwright's, Rev. Stephen Bachiler, himself suspected of heresy in Massachusetts, but not yet under ban, joined with Winthrop's son John, afterwards Governor of Connecticut, in laying out a plantation at Hampton, which soon became a town in special favor with Boston. Each of these small plantations had its own local government, and owed no allegiance to any overlord except the King of England, to whom they professed themselves loyal subjects. Mr. Shirley observed, and it is strictly true, that "in the just sense of the term, the genuine township system originated and was developed in New Hampshire." Each town chose a ruler or judge, with assistants or associates, and courts of first instance, which were also of last resort, — for where could an appeal be made? It is the opinion of good jurists, of whom may be named Webster's senior and friend, Judge Smith of Exeter, that this town legislation was "not only sensible and wise, but far in advance of what we should expect;" and Mr. Shirley thinks the action of these primitive courts "equally sensible and just."

Thrown upon themselves in a new country, with wild savages on one side and religious bigots on the other, they did what was best for the general good, without too much regard to the law of Moses, or the laws of England. They established a common or customary law, enacting what was most fitting for honest men to do, and what would most surely restrain the dishonest. And therefore, when Massachusetts poured out upon them her mixture of Mosaic and English law, from 1641 to 1680, and when the Stuarts, from 1680 till their downfall, sought to introduce new rules of land tenure, local government, and the management of courts and juries, — the plain New Hampshire planters, traders, fishermen, and lumbermen, easy to lead but very hard to drive, took what they pleased of this legislation, and threw aside the rest, with as much nonchalance as consisted with good neighborhood and real affection for the English monarchy, under which they had been bred. It is both touching and amusing (since the persecutions they suffered for a time left no permanent ill results) to read the quiet and successful resistance to arbitrary power which these small communities in the wilderness made from decade to decade. Their experience stood them in good stead at the opening of the Revolution; for they seem to have been no more in awe of George III in 1775 than they had been of Charles II in 1685, when they neutralized all his efforts to make them tenants of the impecunious

Robert Mason. Not that they had any fixed objection to kings as such. If, in 1620, as Emerson relates, "God said, 'I am tired of kings,'" this remark had not reached New Hampshire; her people accepted the tradition of kingship as they did other traditions, — but did not let it interfere with their notion of what good government ought to be.

When the Massachusetts Puritans, in 1641, finding that neither Charles Stuart nor his prelates were likely to give them trouble for some time to come, proposed to the four New Hampshire towns to accept the Boston jurisdiction, they must renounce their pet notion of a religious oligarchy, in order to tempt the settlers on the Pascataqua to renounce their independence and come into an association which common sense dictated. They therefore recognized, as freemen in the New Hampshire towns, not only church members, who had been the only voters in Massachusetts since 1633, but all other substantial persons; and all the four towns were practically allowed to govern themselves by their own officers, as they had done before. Wheelwright, however, finding the Boston intolerance following him into Exeter, withdrew to Maine, and became pastor at Wells; while his old friend Bachiler, at Hampton, was invited by George Cleeve to take a parish at Casco (now Portland). Ancient acquaintance with the Winthrop family, and perhaps too much reliance on their gentleness, detained the old founder of Hampton in New Hampshire,

until increasing infirmities, and some of the obliquities of advanced age, made his children remove him to England in 1654.

It might be too much to say, as Emerson does of the old town records of Concord, "I find our annals marked with uniform good sense; I find no ridiculous laws, no eaves-dropping legislators, no hanging of witches, no ghosts, no whipping of Quakers, no unnatural crimes." But in the main this is true for early New Hampshire. The first code of general law for the Province, framed in 1680, but disallowed in England, prescribed death for any Christian "so called," who should "be a Witch, that is, hath or consulteth with a familiar Spirit;" and under the Massachusetts rule the Mosaic law did not suffer a witch to live. But no witch was ever put to death in New Hampshire, and very few old women were molested or complained of as witches. The first case was that of Jane Walford of Portsmouth, who in 1656 was brought before Major Waldron in the Dover and Portsmouth special court, upon suspicion of being a witch. She was allowed to go upon her good behavior; but in 1669 she brought an action for damages against her accuser, and recovered five pounds and costs. Before 1672 Mary Greenland, wife of Dr. Henry Greenland, then living at Kittery, was accused by some of the New Hampshire gossips of being a witch, but nothing came of it. In 1680, however, the coroner's jury in Hampton, including thirteen of the

most respectable citizens,[1] after viewing the body of a dead child, found "grounds of suspicion that the said child was murdered by witchcraft;" and the case was carried to court. It was then testified that Rachel Fuller, the alleged witch, had mentioned "eight women and two men that she reckoned for witches and wizards in Hampton, — Eunice Cole, Benjamin Evans's wife and her daughters, Goodwife Boulter and her daughter Prescott, and Goodwife Towle,[1] and one that is now dead." This Eunice Cole had been charged with witchcraft in 1656, convicted, whipped, and sent up to Boston to be imprisoned for life. But in a dozen years or more she was sent back to Hampton and there maintained as a pauper, until a new charge of witchcraft was made against her in 1672, and she was again sent to Boston to await trial. No legal evidence of the fact appeared, and she was returned once more to Hampton, under "just ground of vehement suspicion of her having had familiarity with the devil." But it is to be noted that Hampton was specially connected with the oligarchy of Massachusetts, where the witchcraft delusion grew to a disastrous height in 1692, under the rhetoric of Cotton Mather and other ministers, — the minister of Hampton being Seaborn Cotton, an uncle of Mather, and a persecutor of Quakers.

Religious intolerance was mostly foreign to early

[1] Several of these were of the author's ancestry, as were Mrs. Towle and Mrs. Prescott.

New Hampshire; partly because there was a mixture of members of the Anglican Church among the settlers, as well as of heretics and irreligious persons whom Massachusetts excluded. The Massachusetts spirit of persecution showed itself in 1662, under Major Waldron, who, as already mentioned, then issued his order for whipping Quaker women at the cart's tail through a dozen towns under the Puritan domination. But Waldron and Cotton were exceptions to the general mildness of New Hampshire toward the Quakers, who soon became numerous in the four towns, and across the Pascataqua in Kittery and Eliot. The same year in which Waldron sentenced the Quaker women, he wrote to a Massachusetts friend: "Major Shapleigh shelters all the Quakers that come into our parts, and followeth them where they meet; which is not only a disturber upon that side of the river, but also on our side, where is but the river between. And some say he is dictated by the little crooked Quaker [Edward Wharton]. And so they come into our town, and presently they are gone over the river; and so his house is the harbor for them." Shapleigh, though made a military officer in 1656, had become a Quaker; he was a partisan of Barefoot, Champernown, and the other opponents of the Puritans, and all the more tolerant because his friends were under ban as favoring the Church of England. Yet the Cranfield laws of 1682, supposed to be less favorable to the Puritans, provided

"That whosoever shall speak contemptuously of the Scriptures, or holy penmen thereof, shall be punished by a fine not exceeding five pounds. And whosoever shall behave himself contemptuously toward the Word of God preached, or any minister thereof, called and faithfully dispensing the same to any congregation, either by manifest interrupting of him, or falsely charging him with teaching error, shall pay a fine of 20 shillings, or sit in the stocks two hours."

As such interruptions and charges were part of the mission of vagrant Quakers, this statute seems to have been a survival of the Puritan code. Churchgoing was enjoined in New Hampshire by law, or at any rate by custom, and it was ordered in the Cranfield code that "the Lord's day" should not be profaned by servile labor, travel, sport, frequenting Ordinaries in time of public worship, or "idly straggling abroad," — the fine for such conduct being ten shillings or an hour in the stocks. And because "sundry dissolute persons," if fined, might not have money to pay, without injury to their families, it was provided that poor persons should be whipped instead of fined, — the ratio being, for a ten-shilling fine, five stripes; for twenty shillings, ten stripes; for fines between one and five pounds, twenty stripes, and for all higher sums, not exceeding forty stripes.

Drunkenness, and the sale of liquors of various intoxicating power, led to the greatest number of ordinances and penalties, from the earliest settle-

ment till recent times. A constant business of all the local and central governments was to license taverns and drinking-places, and to regulate "Ordinaries" and their frequenters. The first business carried on along the New Hampshire coast being fish catching and curing, a class of seamen, as thirsty as the proverbial fish itself, frequented the islands and seaboard towns. All the four original settlements were maritime, being made on tidewater, even as far inland as Exeter and Dover; and when lumbering became an active and lucrative employment, this also was carried on by men fond of a dram. The magistrates and gentry, what few there were, drank wine and brandy freely, and usually held their meetings in taverns, which were large and central buildings, and long preceded churches. Innkeeping was a very respectable occupation. The founder of the rich and powerful Wentworth family of Portsmouth was Samuel Wentworth, who began as the landlord of the Dolphin Inn at Great Island, and afterward built a great tavern across the ferry in Portsmouth, which is still standing, and was one of the largest structures in the provincial capital. Samuel Sherburne, head of another powerful Portsmouth clan, was innkeeper at Hampton, succeeding old Robert Tucke, the Englishman, from whom so many of the New England and New York people are descended; and Henry Roby, one of the subservient justices in the Cranfield and Barefoot despotism, was a taverner in another part of Hamp-

ton. The supply of beverages was large, and came in from the Azores, the Canaries, and from Spain, with which the New Hampshire fishmongers soon got a profitable trade by exchanging salt fish (much used in Catholic countries) and pipestaves for the Spanish wine and French brandy that went into the pipes put together from the Pascataqua staves. Much of the early revenue of the colony came from a tariff on wine and liquors, or from fees paid by the men licensed to sell them. In due time, rum from the West Indies was added to the intoxicants, and gin from Holland; while beer, mead, cider, and perry were home-made drinks. The beverage made from pears figures in one of those amusing incidents with which the career of Walter Barefoot is variegated, from his first appearance as a neighbor of the gentle Captain Champernown, kinsman of Raleighs and Gilberts, in 1657, when this chirurgeon had newly come over, until he disappears by death in 1689. In 1675, before he had become a magistrate, and when living at Dover, the Hampton marshal, Christopher Palmer, a son-in-law of Edward Hilton, and father-in-law of the Sherman of Watertown from whom so many famous modern men descended, went up the Pascataqua to arrest Dr. Barefoot. Concealing his real mission, Palmer induced the doctor to go to the Dover jail, and release from arrest two of the Hiltons, who were lodged there. The jovial doctor took along a gallon of perry to drink the health of the released, and

so long as it lasted they were all very merry. But presently, as the jailer's son testified, "there was a great noise, Dr. Barefoot lying on the ground and saying he would not go, for he was in prison already, where he would abide; but Christopher Palmer answered 'he was his prisoner,' pulling him very rough and rudely." Palmer himself testified that Barefoot "laid himself along the floor at the prison, more like a pig than a captain;" for the doctor claimed that title too. As they went down the river toward Hampton prison, where John Souter received the unwilling chirurgeon, Captain Champernown offered to give bail for his friend, but was refused; whereupon Barefoot read the Massachusetts Puritans a lecture from their own "Body of Liberties."

In 1664, not long after he had released the Quaker women at Salisbury, this incorrigible Barefoot, with his brother physician, Greenland, was convicted of an assault on two men in a tavern at Newbury, and in 1671 he was fined by the Massachusetts magistrates "for his profaneness and horrid oaths." The same court went on to banish him for alleged desertion of an English wife, and to forbid his medical practice. In spite of all this, he became under James II chief justice and acting Governor of New Hampshire, in which capacity, as we saw, he was visited by two tall yeomen from Dover, who insulted the Governor and "Proprietor" of the Province in Barefoot's house, and threw them one after the other on the kitchen fire, break-

ing the Governor's ribs, and burning Robert Mason's wig. It will be inferred that wine, the mocker, and strong drink, which the Bible calls "raging," had something to do with these freaks of eminent citizens.

Nevertheless, serious crime was not common in New Hampshire, though the courts were full of indictments, complaints, and counter-charges, and most of the leading men saw the inside of the rude blockhouse prisons, sooner or later. Many offenses were nominally punishable with death, but the extreme penalty was seldom exacted. It is curious that in the first formal code of the Province (1680), while treason was made capital, it was styled "treason against the person of our Sovereign the King, State and Commonwealth of England;" as if it was expected that kings might again give place to a Commonwealth, as at the death of Charles I. Rebellion, in the same body of laws, was to be punished by death "or other grievous punishment." But the only persons tried for rebellion (Edward Gove and his followers in 1683) were indicted for high treason, and sentenced under the barbarous English law, which was never carried out, even against Gove; for the king's orders were, —

"That in all criminal cases, where the punishment to be inflicted upon the offenders shall extend to loss of life or limb, (the case of wilful murder only excepted) the party convicted shall either be sent over into this our kingdom of England, with a true state of his case and con-

viction, or execution shall be respited until the case shall be here represented unto us, our heirs and successors, in our and their Privy Council, and orders sent and returned therein."

Under this wise precaution, which sounds as if it were drawn by Halifax, then in the Privy Council, Gove was lodged in the Tower under strong guard, at a cost of £3 a week, then allowed greater liberty, and finally, not only pardoned by James II in 1685, but sent back to his family in Seabrook (where his grave is), with orders from the king "authorizing and requiring the President [Joseph Dudley] of His Majesty's territory and dominion of New England, to restore the said Gove to his estate, and to the possession thereof, in such manner and form as if he had not been convicted." This was practically to annul the sentence, itself manifestly illegal and excessive, but urged on by Cranfield in order to get money out of the confiscated property, as he did. Considering the usurpations of Cranfield, it is significant that, in giving him instructions at the outset (May 9, 1682), the only extract from the "Book of Laws of England" which the king made and appended to his formal orders was this: —

"16th of King Charles the First (1640), — Be it likewise declared and enacted by this present [Long] Parliament, that neither His Majesty nor the Privy Council have or ought to have any jurisdiction, power or authority in any arbitrary way whatsoever, to examine or draw into

question, determine, or dispose of the lands, tenements, hereditaments, goods or chattels of any of the subjects of this kingdom ; but that the same ought to be tried and determined in the ordinary course of justice, and by the ordinary course of the law."

Cranfield's removal (disguised under a leave of absence) was brought about by Halifax, in effect for violating this plain precept of English law, passed in consequence of the ship-money extortions and other abuses of Charles First's reign. And although Andros and his associates attempted like spoliations, it was with a more careful attention to the forms of law.

Taxation and currency are subjects of regulation by law everywhere, even in Turkey, and they appear often in the statutes of New Hampshire. The trade with the West Indies and Spain brought in much Spanish money, — Spain having had for many years a monopoly of silver mining and coining. Our dollar was the Spanish piece of eight reals, and was extensively used in Europe as well as in America. It was legislated into a variable value both in England and New England, but generally it stood at six shillings of English money. New Hampshire had no mint, and that of Massachusetts was soon suppressed as an infringement of English sovereignty. The New Hampshire currency was never wampum, but from a very early day pipe-staves, boards, wheat, and Indian corn, at rates fixed by law from time to time, but not varying greatly

for many years, until the extension of agriculture inland caused the price of corn to fall. Paper money had no great favor in the small Province, though that issued by Massachusetts, after King William's Indian war, was used to some extent in New Hampshire. Counterfeiters and clippers of coin made their appearance in the seventeenth century, but did not become troublesome until the period of the Revolution. Piracy was the maritime fashion of the seventeenth century, disguised in part as privateering, and for a while not unpopular in Boston and New York. Charles II insisted in 1682 that New Hampshire should pass a strict law against piracy, and it was done, but the Province had not much need of its enforcement. Theft was common, and was severely punished; yet the morals of the people seem to have been better than in Maine, and probably no worse than in Massachusetts, though New Hampshire made less parade of its virtues. Sexual offenses, not uncommon before 1650, must have been increased by the general looseness of English morals under the restored Stuarts. A seaport like Portsmouth facilitates such vice, and Rev. Stephen Bachiler, one of the founders of the colony, was the victim there of a loose woman who inveigled him into a marriage of pretext in 1647. She was a landowner in Maine, by reason of a former marriage with a man named Beedle, and her third husband was named Turner. Mr. Bachiler was refused a divorce by the Massachu-

setts court, though her immorality was flagrant; she afterward seems to have got a divorce, on the plea that he had gone back to England, — which was true, — and had married there, — which was manifestly false, for in 1656, he was ninety-five years old. Her later life seems to have occasioned no scandal. She was born in England about 1612, and lived until about 1680. Women of her character were numerous on the Maine sea-coast, according to the report of visitors there and the records of the courts. In New Hampshire the rapid increase of population, as the settlements moved inland, shows that family life was decent and normal. The worst offenders were officials from England, such as William Penn had in mind in 1701 when he wrote to Harley, Earl of Oxford: "Unless governors and inferior officers are men of good morals and character at home, they are a punishment in lieu of a benefit."

The customs of marriage and divorce in New Hampshire, though without positive sanction of law at various times, followed the general course of Puritan legislation, by which marriage was regarded as a civil contract, to be solemnized by some magistrate, local or general. Consequent upon this theory was the corollary that divorce, if not made according to the Jewish law (as sometimes may have happened), could be legalized in one or other of its forms, by the legislature or courts of the Colony or Province. Causes of divorce were recog-

nized in general or special laws; but in 1784 the granting of divorce was taken from the legislature and made the privilege of the highest court of the State, and such is the law to-day.

A curious example of the survival of ancient follies in the law of England occurred in two cases of manslaughter in New Hampshire, less than a hundred years after the cessation of Massachusetts control, — the last occurring in 1776. Apparently following the criminal code of Plymouth Colony, under which, in 1654, a convict named Latham claimed benefit of clergy (which exempted him from death and substituted branding in the hand), New Hampshire had the same singular provision. Whoever could write, if he claimed his clergy, and the magistrate allowed it, when convicted of felony, was branded in the hand and then went forth free. A son, slaying his father in the town of Hollis, under the last Governor Wentworth, pleaded his clergy before four judges, and took the branding. Soon after, John Patten of Chester, having caused the death of Thomas Shirley, ancestor of the jurisconsult Shirley, was convicted of manslaughter, but claimed his clergy, and went free, with a slight branding. Probably these were not cases of legal folly, but of justifiable mercy, arising from peculiar conditions of the homicide, — the court availing itself of the old barbarism to avoid a more unjust sentence. Doubtless unrecorded cases of the sort occurred earlier.

Except in the persecution of Quakers, under the barbarous laws enacted at Boston and soon set aside by Charles II; in the unjust proceedings of the courts under Cranfield (also practically disallowed by Halifax and the Privy Council under Charles); and in the unwillingness of juries to countenance the claims, more or less lawful, of Mason and his successor, Allen, few instances of perverted justice appear in New Hampshire history, but many of mercy and judicial good sense.

Music was somewhat cultivated by the early inhabitants, and in the inventory of Edward Lyde, a son-in-law of Wheelwright, appears "a pair of virginals." Richard Chamberlain, the moody and dejected royal Secretary, was solacing his griefs with a musical instrument, perhaps a rebec, at his chamber on Great Island, when assailed by the "stone-throwing devil" described in his "Lithobolia," published at London in 1698, after he had withdrawn from the fruitless strife in New Hampshire (carrying with him, it is to be hoped, the £10 and half a dozen dowlas shirts bequeathed to him, in 1689, by his friend Barefoot). His belief in the demonic stone-throwing, like that of his contemporary, Cotton Mather, and many others, was complete; and he thought very ill of men who were skeptical. To disbelieve, said poor Richard, "one must temerariously unhinge and undermine the best religion in the world, and must disingenuously quit and abandon that of the three Theologic Vir-

tues or Graces to which the great Doctor of the Gentiles gave the precedence, — Charity, — through his unchristian and uncharitable Incredulity." That unchristian turn of mind was not common then in the Province; for at the very outset of the new government, in 1680, good old John Cutt proclaimed a fast on account of "that portentous blazing star" which had lately been seen in the heavens that overarched the Pascataqua. The fear of the Lord was heavy upon the Puritans, and accounts for some of their most censurable actions; they believed that God would require of them an account, not only of their own sins, but those of their neighbors. As a quaint writer in 1690, R. Daniel, said to Robert Harley, "The first chief planters of New England (called Puritans) were for coactive counsels, and so kept the people in awe." And John Wiswall, writing from Dorchester in 1638 to George Rigby, brother of that Alexander Rigby who purchased the Plough Patent of Bachiler and his flock, praised the Puritans of Winthrop's time, because he saw there "Moses and Aaron, in church and commonwealth, to walk hand in hand, discountenancing and punishing sin." They grasped and usurped, not merely for their own profit and glory, but as they sincerely thought, "for the glory of God and the relief of man's estate," which Francis Bacon held to be the highest motives to noble conduct.

CHAPTER VI

INDIAN WARS

In the history of any people, it is first to be considered what inherited traits, or what external conditions, have imposed on that people its peculiar character from the beginning. These have been indicated in the circumstances of New Hampshire's first settlement, and the long-continuing controversies over religious opinions and the tenure of lands. A mixture of those separate races that coalesced to form, in a thousand years, the composite population of Great Britain and Ireland, sent out scions of these races, from different counties and regions, to populate the sea-coast and river-strands of New Hampshire. The hardy seamen from Devon and Cornwall, the descendants of Danes and Flemings in Norfolk and Essex, the Border men of England and Scotland, and, in the early eighteenth century, the well-named Scotch-Irish from Ulster and the large towns of Ireland and Scotland, — these were the varied rills of immigration that united to form the tide of early population in the present counties of Rockingham and Strafford. Divided in religious faith, or by the lack of it, they were united in

opposition to the exactions of an absentee landlord and the arbitrary rule of a royal governor who lacked the physical force to support his tyrannies. And then came the outside pressure of wars with Indians and the French, which for nearly a hundred years kept the little Province in a state of defense or aggression to preserve what it had got, and to make that more defensible by extending the inhabited limits. Thus was formed and welded together that tenacious and bold nature of the New Hampshire people, easily recognized in the marked instance of prominent men, but quite as discernible in the mass of the population when some exigency gave the occasion. A militia captain, afterwards a victorious general in the Revolution, as he marched his stalwart company toward Boston after the opening fight at Concord and Lexington, was asked what and whence his men were. With an oath he answered, "Full-blooded Yankees from Rockingham County, that never turned their backs on any man yet!" and it was allowed to be a fair description of the soldiers from Nottingham and Deerfield. Such military fitness as they had was acquired by descent or individual practice in the ever-renewed struggle for life against the wily and harassing savage and his French instigators.

While the colonists of Plymouth and Connecticut were contending against the Pequot savages, and gradually approaching the desperate conflict with Philip, in which Massachusetts had a leading

part, New Hampshire had been living at peace with the more numerous northern and eastern tribes, and, like the neighbors in Maine, carrying on a profitable trade in furs. No New Hampshire merchant or captain had kidnaped Indians, or conspicuously broken faith with that proud race of warriors. The early outrages of this sort on the coast of Maine seemed to have been forgotten before 1670; but a subtle ecclesiastical influence was beginning to urge the savage to a kind of religious warfare against the English settlers. Louis XIV, at the head of the aggressive French Catholics, controlled, through his viceroys and missionary priests, the armed colony of Canada, with its Indian and half-breed allies; and even before he engaged in war with England, he and his American subjects had their thoughts directed toward the repression of Protestant colonization, which was gradually moving up the Hudson and the New England rivers toward Canada. What they had to do with the Indian wars of 1675–77 is uncertain, but there are indications that in Maine the influence of Catholic traders and priests was felt in keeping up that contest. In 1677 a document signed by nine Abenaki Indians, and making some just accusations against Major Waldron and other Puritans, seems to have been the composition of one Diogenes Madawaskarbet, whose name implies a French Canadian baptism. He said: "Because there was war at Narragansett, you came here

when we were quiet, and took away our guns, and made prisoners of our chief sagamores; and that winter, for want of our guns there was several starved. Is it your fashion to come and make peace, and then kill us? Major Waldin do lie; we were not minded to kill nobody; he give us drink, and when we were drunk, killed us."

Before these questionable acts of Waldron, however, the settlements on the Pascataqua and its branches were attacked. In September, 1675, some of the Abenakis burned houses and killed men in Durham, then called Oyster River, and waylaid a man and his son going from Exeter to Hampton, killing the father, and capturing a third Exeter man, Ranlet, who escaped by help of a friendly Indian. They renewed the attack at Durham soon after, burned more houses, and killed two men. Reprisals then began. Some young men of Waldron's command went forth scouting from Dover, and killed two Indians out of five, but this only increased the Indian fury. The Penacooks, a large tribe near Concord, remained friendly during these scenes, having been warned by their old sachem, Passaconaway, and his successor, Wonolancet, not to provoke the English to war. The eastern Indians from Maine were temporarily reduced to peace; but the tribe and allies of Philip, after his death in August, 1676, strayed northward and eastward, and committed murders in New Hampshire. They then took refuge with the Pena-

cooks, on the upper Merrimac, and with the tribe around Chocorua, who were at peace with the English. Waldron, an old Indian trader, had made this peace, and till then, though merciless toward the Quakers, he had been looked upon by Indians as their friend. At his invitation four hundred of the tribes, including two hundred of the friendly Penacooks, were gathered near his fortress in Dover, early in September, 1676. William Hawthorne, ancestor of the novelist, and another Massachusetts captain, having marched to Dover, proposed to Waldron to attack these peaceful Indians. Instead of that, Waldron contrived a ruse, by which he as major, and three captains, Hawthorne, Frost, and Sill, should join their forces the next day, and capture the whole body of savages. This was done by deluding them into a sham fight, after the English mode, and allowing the Indians to fire first, wasting their powder. The captains then closed upon them with loaded guns, and captured the entire company without bloodshed. But the Massachusetts captains, selecting two hundred of the lately hostile but now pacified Indians, swept them away to Boston, where seven or eight were at once executed as murderers, and the rest were sold into slavery. As Hubbard, the Puritan historian, said, "They had their lives spared, but were sent into other parts of the world, to try the difference between the friendship of their neighbors here, and their service with other masters elsewhere."

This treachery, coming after a smaller example of the same sort practiced earlier in the year by one Laughton, professing to act under Waldron's authority, was never forgiven by the Penacooks, who soon became hostile, like the Abenakis, Wampanoags, and Narragansetts.

For the present, the western Indians were subdued; but the Abenakis, who had driven the Puritan magnates and other colonists from Saco and the Maine towns, kept up the fight, though eluding the winter pursuit of Waldron, Frost, and their soldiers; and the New England savages were only provoked further by an incursion of the cruel Mohawks from New York, who had been persuaded by Pynchon of Springfield and Richards of Hartford to join in alliance with the Puritans. In the spring of 1677, Greenland and North Hampton were attacked, and four men of Hampton were slain; while a more eminent citizen, Captain Swett, was killed, a fortnight later, in a fight near Black Point in Maine (June 29, 1677). In August following, Sir Edmund Andros, sending soldiers to Pemaquid, kept the Indians quiet; and in April, 1678, three residents near Portsmouth, Francis Champernown, Major Shapleigh, and Nathaniel Fryar, made a humiliating treaty with Squando and the Abenakis, by which it was agreed to pay tribute for the lands held by the colonists in Maine.

So ended the war called King Philip's; but its heavy expense weighed on all the colonies for

years. When it was over, the inquiry was raised, How did the savages get their guns and powder? articles in which it was forbidden to trade with Indians except by special license. Of course the law was evaded or defied, as it had been by Morton of Merry Mount fifty years before; but the Puritans, shocked and exasperated (as they were soon after) by the mysterious Popish Plot in London, had earlier discovered that a Catholic *gentilhomme* on the Maine sea-coast, the Baron de Saint-Castin, for whom Castine is named, had married an Indian woman, and was supplying for years the neighboring Indians with weapons and ammunition. This was a new grievance against the Catholics, of which much was heard when the Bostonians had imprisoned Andros, suspected of Catholic tendencies, and sent him to England for trial.

But no Indian war came on till about that period when England freed herself from a Catholic king, and New England shook off the yoke of Andros, Dudley, and Randolph. The flight of James II from England to France was soon followed by war between the two kingdoms, and this led to incursions from Catholic Canada of French and Indian fighters, who burned towns, raided detached homes and garrisons, slaughtered men, and carried women and children away to be sold as servants and brought up as Catholics. They had been incited to this, before war was declared, by an affair in which Andros was concerned in the spring of 1688.

Outside of New England, as the term was then used, was a tract given to James II, then Duke of York, by his royal brother, the bounds of it overlapping the French territory in which the Baron de Saint-Castin had settled. Andros, who governed at Pemaquid for the duke (now king), went in the Rose frigate with a force of men, and plundered the Baron's house and fort, leaving him only the ornaments of his chapel while seizing his arms and goods. In revenge, he incited his neighbors, the Indians, to make reprisals, alleging that the treaty of 1678 had not been kept by the colonists, and that the savages had been cheated in the fur trade. Andros sent an army against them, but without effect. He garrisoned the forts, however, and held the savages in check until he was arrested in April, 1689. The Puritans then cashiered some of his officers, and allowed the force of soldiers to be diminished, thus inviting attack.

The first serious onset was made in revenge for Major Waldron's perfidy in 1676. More than twelve years had passed since the friendly Indians were deluded and captured by him at Dover; some of those sold into slavery had escaped and returned to their people. A combination was formed between the Penacook and Chocorua Indians to visit upon Waldron the penalty of his deceit. They affected to be peaceful, but had murder in their hearts. Waldron had no suspicion of what was preparing, but when some of his neighbors

expressed their fears of an outbreak, Waldron bade them go and plant their pumpkins, and leave him to deal with the Indians. Mesandowit, a sachem, was kindly entertained by the old Major, and when the squaws said that many Indians were coming next day to trade with him, and the chieftain asked, "Brother Waldron, what would you do if the strange Indians should come along with them?" "I would lift my finger," was the haughty answer, "and a hundred warriors would respond to my call." One squaw lodged in the fortress; at night she opened the gates, and many Indians came rushing in. They made for the inner room, where the octogenarian slept. He met them sword in hand, and drove them through two or three doors. But while returning for his pistols, they came behind the old warrior, stunned him with the blow of a tomahawk, dragged him into his hall, and seated him in his elbow chair on the long table where they had eaten food with him. "Who shall judge Indians now?" they asked him in mockery. Then, calling for food, which the people in the house were forced to give them, they satisfied their hunger before torturing their victim. As they smote him with their knives, each man cried out to the veteran merchant, "I cross out my account." When, overcome with pain and loss of blood, he was falling from the table, one, more merciful, held his own sword under him, which ended his torment. Seldom has the injustice of man been more unsparingly requited.

The wretches then killed Waldron's son-in-law, Abraham Lee, a chemist of doubtful repute, who had been indicted for making false money, carried away Mrs. Lee and other women of the household, and set the great house on fire, before proceeding to attack the lesser garrisons, four of which were near by. Richard Otis was killed in his garrison, and his wife and child carried off to a Canadian nunnery, where the daughter was bred a Catholic. Mrs. Heard's garrison house was saved by the alertness and strength of old Elder Wentworth, progenitor of a distinguished New Hampshire family. Aroused by the barking of a dog just as the Indians were entering, he pushed them out, shut the heavy door, and, falling on his back to avoid bullets, held it with his feet until the men in the chambers were alarmed and came to his aid. The widow who owned this house, Elizabeth Heard, was returning, unconscious of danger, in a boat from Portsmouth, with her four children, after nightfall. She heard alarming sounds as they neared the landing, and seeing lights in Waldron's garrison, not yet set on fire, the company betook themselves there for refuge, and knocked and called at the outer gate of the stockade. No answer coming, a young man in her party climbed up the palisado, and saw an Indian with a gun keeping guard in the house door. Then ensued one of those acts which enhance the picture of savage atrocity with a gleam of savage virtue.

Overcome with fright, the poor widow bade her children save themselves and leave her, helpless, to her fate. They obeyed her order, but no enemy attacked her. Recovering a little, she crept into a shroud of bushes in the garden, and, as daylight came on, into a thicket of trees, farther away from the burning fortress. She next saw an Indian coming toward her with a pistol, perhaps one of Waldron's; he looked at her, and went away. Returning soon after, he looked at her more earnestly. She asked him what he wanted, to which he made no reply, but ran with a warwhoop toward the house (as if he had killed a victim), and she saw him no more. When the house-roof fell in and the savages withdrew, she stealthily sought her own house, and found all safe. Gathering her distracted thoughts, she remembered that in the fatal treachery of 1676, a young Indian, escaping from the net of Waldron and Hawthorne, came running to the house, where she kindly concealed him. He then promised that he would spare her and hers in any future war, and would persuade other Indians to do the same. This grateful savage was one of the midnight assailants of Waldron, and Mrs. Heard was well known to many of his party.

Mrs. Heard's daughter, the wife of John Ham, returned swiftly down the river to give the alarm at Portsmouth, where Major Waldron's son Richard was living, — the same who narrowly escaped death in 1694, when Ursula Cutt, widow of the

president, was killed among her haymakers, late in July. In the same day, by messenger from Justice Weare of Hampton, the son received a letter from Governor Bradstreet informing the Waldrons that Dover was to be attacked, and that the old Major was specially aimed at. The news had come from Penacook to Chelmsford by two friendly Indians, four days before the attack, but had been delayed in reaching Dover till too late. Meantime, the savages had divided their captives, and were making northward by separate routes to Canada. One party, pursued by a Dover company, were overtaken near the White Mountain Notch, and three of the Otis children retaken. But the young widow, Grizel Warren, daughter of James Warren, a Scot, and an Irish Margaret and her baby, Margaret Otis, three months old, were carried to Montreal, where the child, baptized as Christine, was educated in a convent, and married at eighteen to a Montreal carpenter, Le Beau. Her mother, only twenty-seven at her capture, was married in 1693 to Philip Robitaille, a cooper, and bore him four Catholic children. Christine, at twenty-four a widow, fell in love with Thomas Baker, once a captive from Deerfield, but in 1714 a commissioner to ransom captives, and fled with him to Boston. The town of Brookfield made her a grant of land, while she was living in Northampton, married to Captain Baker, and resuming her name of Margaret. He was the first representative to the General Court

from Brookfield, in 1719, but removed to Dover, his wife's native town, in 1734. There Mrs. Baker, her husband being an invalid, asked and got permission from the New Hampshire Assembly to keep a public house, while the Massachusetts General Court gave her five hundred acres in Maine, "under the care of Colonel William Pepperrell," — on the profits of which, and of her inn, she lived to the age of eighty-four. She left three Catholic children in Canada, and in New Hampshire a large posterity, — living, says her obituary, "in good reputation, being a pattern of industry, prudence and economy, and meeting death with calmness." [1]

Such was the romance of Indian warfare in New Hampshire. But the terrible loss and suffering it brought can hardly be imagined. In this one raid upon Dover 23 inhabitants were slain and 29 captured; while in the nine years following, at least 150 were killed and wounded, and 100 more taken captive. A loss of 300 in ten years, out of a population of less than 10,000, besides as many more killed in battle or upon long marches, together with the ruin of homes and farms, and the heavy cost of defense and attack, — these facts indicate

[1] See the very thorough and interesting volume by Miss Alice Baker, *True Stories of New England Captives* (Cambridge, 1897). She covers seventy years with her researches, and brings out the striking fact that Esther Wheelwright (great-granddaughter of Rev. John Wheelwright), as Mother Superior of French nuns, assisted at the burial of Montcalm, and cared for the wounded of Wolfe's army. Her capture was in 1703.

what the poor Province had to endure from 1688 to 1698. Upon the renewal of the French war in 1703, incursions from Canada and the Maine and New Hampshire wilderness began again, and this war also lasted for ten years, being known as "Queen Anne's war," while the earlier one was "King William's." In neither did the colonists, at least in New Hampshire, get any effective aid from England. A fourth war, beginning in a sporadic way in 1721, continued till 1725, New Hampshire and Maine being the chief sufferers. In 1744 war was renewed, and lasted till 1749, with many Indian atrocities; a final conflict with the united French and Indian foes lasted from 1754 till 1761, though practically ended for New England by the capture of Quebec by Wolfe in 1759. In this war the great talents of John Stark were first brought to public notice.

The later wars, involving two captures of Louisbourg and the campaigns of Ticonderoga and Quebec, will be treated in connection with the civil and social history of the Province before the Revolution. But the impressive fact about all these Indian conflicts is that, in spite of losses and slaughter, the colonists pressed on their work of pushing the deadly frontier farther back, and building up a Christian commonwealth in the shadow of the ever-receding forest. Mountains were no obstacle to the courage and persistence of the New Hampshire pioneers, especially after they were reinforced by

that stalwart and pugnacious race from northern Ireland which founded the inland towns of Derry and Londonderry and the five townships around Monadnoc. Rivers and lakes were an invitation and furtherance rather than hindrances; for they furnished pathways through the forest, to the settlers as well as to the Indians, and their frequent waterfalls gave the needful power to convert the forest itself into timber for villages and lumber for export. On these dashing streams, too, were set up those water-mills which ground the farmer's grain and prepared his home-grown wool and flax for the family clothing, and which early gave way to the cotton-spinning, wood-working, and iron-shaping industries that overran the State in the nineteenth century. Seldom has a community illustrated better than New Hampshire, in its first two centuries of English occupation, the brave maxim that "obstacles are things to be overcome," and the familiar truth that hardship and toil are the best discipline for a colonial people. Well did Hubbard, the eloquent and scholastic, not less than Puritanic, chronicler of early New England and the Indian wars, say in his first book, "It is with young colonies as with trees newly planted, which those winds that are not so boisterous as to blow down, do so far advantage as to shake them to a greater fastness at the root." Walter Scott, whose Lowland dialect was as well known in half of New Hampshire, when he learned it in boyhood, as it

was in his Border counties, put the same image into verse in the song of the Highlanders, praising the pine-tree of their clan : —

" Ours is no sapling, chance-sown by the fountain,
Blooming at Beltane, in winter to fade ;
When the whirlwind has stripped every leaf on the mountain,
The more shall Clan-Alpine exult in her shade.
Moored in the rifted rock,
Proof to the tempest's shock,
Firmer he roots him the ruder it blow ;

" Heaven send it happy dew,
Earth lend it sap anew,
Gayly to bourgeon, and broadly to grow."

The dismal experiences of ambuscade and surprisal taught the men of war in these infested townships the lessons they afterwards practiced upon these very French and Indian enemies, and carried Rogers and Stark, Pepperrell and Vaughan, on land, and the seamen of Paul Jones, through desperate battle to certain victory.

Hardly a descendant of the tidewater colonists of the seventeenth century, in the Province of Waldron and Wentworth, but counts among his ancestors one or two victims of the savage bullet or knife, and many of us a score of them. All New England and New York suffered greatly by this warfare, which, however unjustly it began, must be waged by the colonists until the savages and their priestly instigators and abetters had been rendered powerless for mischief. This had happened at the

close of the war in which Washington and Stark won their first military renown. In proportion to its population and wealth, New Hampshire endured the most, and profited the most thereby, in toughening the fibre of her people. The story is long and thrilling; as a result, hardly an Indian remained in the Province in 1770, except, perhaps, an enslaved captive.

CHAPTER VII

THE FINAL STRUGGLE WITH MASSACHUSETTS

It has often been observed that the sharpest disputes are with members of the same family. Wendell Phillips used to say, "You can safely speak ill of a man to his cousin;" and there have been irreconcilable antipathies between sisters. Massachusetts and her elder but smaller Colony can hardly be styled sisters, at least until they both came into the confederacy against Britain; they were more like the city cousin and the country cousin, outwardly on good terms, but not rapturously fond of each other. While the Puritans controlled New Hampshire, they treated her with alternate kindness and severity; she must not endanger their Commonwealth by allowing heresy or disrespect to magistrates. To the latter form of dissent Massachusetts was peculiarly sensitive. Her authorities were in power by God's ordinance, as much as kings were held by the Cavaliers to be, and must be treated as "worshipful," — the common term of address. When the ministers sought a like privilege, they were reminded, gently or forcibly, that their power was from men, though their call might be

from God; chosen by their church, they were not its dictators. New Hampshire was from the first a little rebellious in this point; there was more of the stubborn Englishman, and less of the elect of Heaven, in the mien of her willful people toward rulers. Geneva had failed to shape their mind after Calvin's model so completely as in the Boston colony. A common distrust of arbitrary power in the Stuarts drew the two colonies together after the Restoration, but New Hampshire men thought Massachusetts was granting away their wild lands too freely. When the Stuart power was broken in 1688–89, there was a strong inclination of the original towns to reunite with Massachusetts. Singularly, this inclination was thwarted by the dissent of Hampton, which had been a step-child of Boston. Nathaniel Weare, then the leading citizen of that town, having been the instrument, in England, of defeating the tyranny of Cranfield and releasing his townsmen from prison and from fines, could not quite decide in 1689 to join the other three towns in a final submission to Massachusetts, though a temporary union was formed.

Before this an effort was made to reconstitute the provincial government by popular elections in the four towns, all of which chose commissioners in October and December, 1689, who met in Portsmouth January 24, 1690, and prepared a simple constitution, — the first by popular initiative ever submitted to the people for adoption. The conven-

tion held for this purpose was made up of the leading men in each town, and they were: —

For Exeter, Robert Wadleigh, William Hilton, Samuel Leavitt, Jonathan Thing.

For Hampton, Henry Green, Nathaniel Weare, Samuel Sherburne, Edward Gove,[1] Henry Dow, Morris Hobbs.

For Dover, Captain John Woodman, Captain John Gerrish, Lieutenant John Tuttle, Lieutenant John Roberts, Mr. Thomas Edgerly, Mr. Nicholas Follet.

For Portsmouth, Major William Vaughan, Captain John Pickering, Mr. Richard Waldron, Mr. Robert Elliott, Mr. Nathaniel Fryar, Mr. Thomas Cobbett.

The names of these twenty-two men are signed to the draft of a Constitution, only one copy of which is known to exist, as follows: —

ABSTRACT

Agreed, That a President and Council consisting of ten persons, as also a Treasurer and Secretary, be chosen in the Province, in manner and form following, viz. For the Council,

Three persons of the inhabitants of Portsmouth, three of the inhabitants of Hampton, two of the inhabitants of Dover, and two of the inhabitants of Exeter; which

[1] This was the former prisoner in the Tower, who joined with his fellow-citizens now in a plan of self-government. The next summer he was chosen a lieutenant of the Hampton foot company (the same that had arrested him in 1683), with Samuel Sherburne as his captain, who was slain by Indians in 1691.

persons shall be chosen by the major vote of the inhabitants of the Town where they live; and the President, Treasurer and Secretary by the major vote of the whole Province;

Which President shall also have the power over the Militia of the Province as Major.

And the President and Council so chosen, or the major part of them, shall with all convenient speed call an Assembly of the Representatives of the people, not exceeding three from one town;

Which said President and Council, or the major part of them (whereof the President or his Deputy to be one), together with the Representatives aforesaid, or the major part of them, from time to time shall make such Acts and Orders, and exert such power and authority as may in all respects have a tendency to the preservation of peace, punishment of offenders, and defence of His Majesty's subjects against the common enemy:

Provided, they exceed not the bounds his late Majesty, King Charles II, was graciously pleased to limit, in his Royal commission to the late President and Council of this Province.

(Signed as above.)

PORTSMOUTH, January 24, 1689–90.

Hampton, suspecting that under this constitution the gentlemen of Portsmouth would exercise too much authority, finally, in February, 1690, refused to choose its three Councilors and three Representatives, and so this promising plan failed. Immediately a petition was drawn up and hastily signed by most of the framers of the Constitution, and

several hundred others, asking Massachusetts to assume the government, as before 1679. Nathaniel Weare was not well pleased with this, and wrote to his friend, Major Pike, about it. His letter is as dark and confused as a speech of Sir Harry Vane, but the upshot of his long discourse to his neighbor Pike (March 15, 1690) was, "Let us wait and see what is best to do permanently." The effect of waiting was that Samuel Allen, who had purchased, as he supposed, the right of the Masons to the fee simple of lands in the Province, not otherwise owned, got himself nominated Governor by the king, and made his son-in-law, John Usher, his Lieutenant-Governor; while Weare, than whom no citizen was more suitable, became a member of the Council. It is noticeable that this Usher, who had bought the title to Maine from the heirs of Gorges, and was one of the owners of the large Merrimac purchase from Mason, for mining, etc., had now become virtually the head of the Province, while his father-in-law was its titular owner and governor. This disaffected the people, who had again, ere the Massachusetts Charter was granted, petitioned King William to include the Province in Massachusetts. But the king had inherited some of the prejudice of his uncle and father-in-law against the Puritans; his theory of government required that the colonies should be more directly controlled by the king; and the money of Allen was doubtless used about the Court to his own advantage.

The confidence of the people in Usher seems never to have been restored; the Council held a majority of the former opponents of Mason, although they sometimes allowed Usher's measures to pass. Weare, Vaughan, and the surviving Richard Waldron (called Colonel, to distinguish him from his father) usually voted together, as they had labored together twenty years before, against Cranfield and Barefoot. Usher and one of the Council, Hincks, had been in the hated council of Andros, which added to the feeling against them. The lieutenant-governor published his commission and took up the administration August 13, 1692, but from the first met with opposition. His manner was far from conciliatory; his education was not on a level with his wealth, and he had a high notion of his own importance. He was superseded in office in 1696 by William Partridge, for whom the people had petitioned; but Usher claimed to hold the place, and did so at intervals until the arrival of Lord Bellomont as Governor of Massachusetts and New Hampshire in 1700. Partridge then held the place unopposed, the courts were reconstituted, and Allen, who had come over from London in 1698, and for a year took his place as Governor, now retired from public office, together with his son-in-law, and next appeared in the new courts as a claimant for rents and the possession of unimproved lands. Allen died in 1705, leaving his widow, a resident of Hampton, and his son Thomas to prose-

cute his case in the local courts, with only a right of appeal to Queen Anne, in case of a special verdict; and this the juries refused to give. Before this Allen had himself pressed the case to a verdict, in a court made up of the judges who opposed his claim; the jury, in 1700, giving a verdict against him, in favor of the defendant, Colonel Richard Waldron, who represented many owners and occupiers of the lands which Mason had claimed, and which Allen, as his assignee, now claimed. From this verdict Allen appealed, but the judges, following the precedent of Massachusetts, denied the appeal to King William.

This denial was taken very ill by the king; and the Lords of Trade, in a letter to Lord Bellomont the Governor (April 24, 1701), said: "This declining to admit appeals to his Majesty in Council is a matter which you ought very carefully to watch against in all your governments. It is an humor that prevails so much in proprieties and charter colonies, and the independency they thirst after is now so notorious, that it has been thought fit those considerations, together with other objections against those colonies, should be laid before the Parliament. A bill has thereupon been brought into the House of Lords for reuniting the right of government in their colonies to the Crown." The measure was aimed at Massachusetts and its neighbors having charters, and at the proprietary colonies of Pennsylvania, Maryland, and Carolina,

especially. It was defeated, largely by the personal influence of William Penn, who was able to neutralize the waning influence of that old foe of charters, Randolph, and thus render a service to New England. But the ill name of Massachusetts with William III was inherited by his successor, Queen Anne, and was handed down to George II, in whose reign it aided materially to procure the final decision of the Privy Council against Massachusetts on the boundary question. And though, by that time, the wish of the New Hampshire people was strongly against union with Massachusetts, it is probable that the decisive influence in 1737–40 on the Privy Council came from persons then owners of the old Mason claim, represented by the Wentworths and Atkinsons.

In this long controversy with the Allens and Usher, it was a favorite move of their opponents to vote and petition and talk in favor of a close union with Massachusetts. But all this while the sentiment for a separate existence was growing as the Province grew, and the interest of the wealthy and powerful circle, of which the Wentworths were the centre, demanded a separate government, which they should direct. In the early dispute with Robert Mason the Wentworths of that time had little share; their head of the family, Samuel of Great Island and Portsmouth, was busy keeping his taverns and increasing his worldly goods and cousinships. But his son, John Wentworth, a successful

shipmaster and merchant of Portsmouth, sided with the Waldrons, Vaughans, and Weares against the Allens; and when Usher had finally vacated the important post of lieutenant-governor, upon the accession of George I in 1715, George Vaughan at first, and two years after, Wentworth, succeeded to the office. From that time until John Wentworth, the last royal governor, abandoned the Province in 1775, it was substantially directed and governed by the Wentworths and their kinsmen, the Atkinsons. The Governors lived in Boston until 1741, but the real power rested with the lieutenant-governor in Portsmouth, where mercantile wealth was accumulating, and political ambitions were active. Even in the years 1700–07, when the great lawsuit was pending in the New Hampshire court, and an exhaustive and costly Indian war was going on, as much wealth seems to have been on the side of the planters and merchants as on Allen's side.

Just before Samuel Allen's death in May, 1705, the New Hampshire Assembly made a sincere effort to end the long dispute by a compromise with him. The Queen had sent a message by Governor Dudley, who succeeded Lord Bellomont, "that nothing will more tend to your quiet and repose, and to her Majesty's just satisfaction, than to have an amicable and quiet issue in that matter." The Assembly therefore authorized the towns to choose each two freeholders, to join in convention with

the Assembly, for making some proposal to Mr. Allen to settle the pending quarrel. This was done, and the convention met at Portsmouth. It resolved that the people had no "claim or challenge to any part of the Province" outside of four old towns of Portsmouth, Dover, Hampton, and Exeter, and the new towns of New Castle and Kingston; and that they would allow to Allen and his heirs five thousand acres of the common lands in those six townships; that he and his heirs "might peaceably hold and enjoy the great Waste, at the heads of the four towns, containing forty miles in length and twenty in breadth;" and the people would pay them besides £2000 current money of New England (about £1350 sterling). On his part, Allen was to quitclaim to the inhabitants and their heirs all the land within the six townships, and to warrant and defend their title against all mortgage, entail, or other incumbrance, provided the queen approved this mode of settlement. All contracts made by either Mason or Allen "in their own just right" should be accounted valid; and all actions and suits in law concerning the claim and lands were to cease until the queen's pleasure was known.

Like the proposition of Joseph Mason made to the Massachusetts General Court half a century earlier, this was a fair offer, and but for Allen's sudden death might have been accepted, for it was liberal toward him. But just as John Mason died in 1635, as he was coming over to maintain his

right, so Allen died at this new crisis; the matter stood still, and the widow and son after some delay prosecuted their case in the courts. Then ensued one of those developments of fraud and wrong which had been too flagrant on both sides before. When the Allens in 1704 applied to the Council for "the records of judgments obtained formerly by his predecessor Mason, against several persons of the Province," it was found that the book had been mutilated, and the judgments cut out. Next appeared the fact that Chamberlain, who kept the records from 1682 to 1689, had them forcibly taken from him at the Revolution of 1689 by Captain John Pickering of Portsmouth, who kept them two years, and then handed them over to Usher and his secretary, Henry Penny, in 1691. The mutilation (quite similar to the mutilation of the Portsmouth town records by Pendleton and others in 1652) was probably done while the books were in Pickering's hands. If not, it may have happened while William Vaughan, one of the persons against whom the judgments were given, had their custody, from 1697 to 1702. For Samuel Penhallow testified in 1704 that, when he "received the book now showed (out of which 24 leaves are cut) from Major Vaughan" in June, 1702, "in such form as they now are," the twenty-four leaves were cut out "in the same manner as it is now seen."[1] There

[1] When, in July, 1775, Theodore Atkinson, then Secretary of the Province, and a Tory (being uncle of the royal Governor),

could be but one reason for defacing the record, — to obliterate the unjust decrees of the court and packed juries in Cranfield and Barefoot's time; and this had manifestly been done. Wicked as those verdicts and decrees were, — and it was for those, in part, that Halifax had Cranfield censured and virtually removed, — they should have been allowed to stand in the record, until legally set aside, as they could have been.

Nor did the chief landholders and their serviceable friends stop with this summary annulment of the record. They procured the preparation of false papers (assuming that the famous Indian Deed to Wheelwright in 1629 was a forgery, as is now generally held), and had copies of them presented in court. The original of the Wheelwright Deed has never been seen, nor does it now exist on the files of York County in Maine, where it was said to have been recorded. It first appeared in a copy

was called on by Major William Weeks of Greenland for the Province records, he declined to give them up, unless forced (as he was), and one of his reasons was, that in the troubled times of the English Revolution of 1688–89, which his father well remembered, the papers then in the hands of Richard Chamberlain were taken away and became scattered; so that widows and orphans and other innocent persons suffered by not being able to secure their titles to property; and that many of these papers had not yet (in 1775) been restored to the public offices. Yet the Atkinsons and Wentworths, with the Waldrons, Vaughans, etc., were of the chief gainers by this pillage and mutilation of the Chamberlain records; though some of them afterward profited by the purchase of the Mason claim from the last owner by that name, John Tufton Mason, in 1746.

certified as of the original "on file with the filer of the County of York," at the court in Portsmouth, in August, 1707. It was put in by Richard Waldron, one of the justices of the court, but not sitting because defendant in the suit; and his language respecting it was this; "The said defendant's possession" (that of Major Waldron) "was grounded on a very good Deed, well executed in law, from the Indian Sachems and native proprietors of these parts of America, bearing date the 17th of May 1629."

A copy of the Wheelwright Deed was entered on the record at Exeter, where it was said to have been made, but not till 1714, eighty-five years after its alleged date, and was there certified as "according to the original" by Vaughan, who may have had a hand in forging it. Where had it been in this long period? Wheelwright, who should have claimed under it, if genuine, never did so, nor any of his heirs. It was never heard of until every one of the alleged grantors, grantees, and witnesses had long been dead. It was artfully framed, so that its genuineness has been maintained by several good antiquaries. But few who look at the facts without prejudice now doubt that it was forged, and in the very nick of time; for it doubtless had some weight in the case, though that was settled on other principles.[1] Another paper offered by Waldron in 1707

[1] The literature concerning the Wheelwright Deed is too voluminous even to be cited here. Dr. Belknap believed it genuine;

is so manifest a fraud that nobody defends it, — the letter signed by Neale and Wiggin (dated in 1633), mentioned in chapter i. In all this protracted litigation, beginning in the New Hampshire court, in 1683, when Barefoot, Henry Green, and Fryar were justices, and ending in the court of 1707, above mentioned, — both plaintiff and defendant having changed, and most of the judges and jurymen deceased, the final settlement was upon no principle of law, but out of regard to the condition of the people of the Province, whom the Waldrons, father and son, represented. This prevented the Privy Council from trying the appeal taken by Thomas Allen against the verdict of

but his more exact editor, in 1831, John Farmer, did not. James Savage first exposed the forgery; the reasons for which are so obvious that the generality of scholars and readers now agree with Savage and Farmer. It was supported in the local court by various affidavits; but these do not carry much weight when the probabilities are all the other way. There was a genuine Wheelwright Deed of 1638, in which two Indian sagamores did grant to Rev. John Wheelwright the thirty miles square in which he set up his staff of rest at Exeter, when driven away by the Puritans of Boston. This was sworn to as genuine by Wheelwright and Edward Colcord, two of the grantees, as early as April, 1668, and also by Rev. Samuel Dudley, the second minister of Exeter. Had the other deed (of 1629) existed, there would have been no need of the later one, and these witnesses would naturally have mentioned it. It is for my interest to believe the forgery genuine; for one of the five grantees named, Thomas Levitt, is my ancestor; but although he lived to be over eighty, he never made the least claim under it; any more than did his associates, John Wheelwright, Augustine Story, Thomas White, and William Wentworth.

1707; reasons of substantial justice being allowed to have weight, and the technicalities of English law disregarded.

Indeed, by 1720, the injury feared in the little Province from the exactions of Mason and his successor was quite overshadowed by the bolder and more dangerous claim of Massachusetts. Still adhering to her old theory that the southern boundary of New Hampshire must follow the Merrimac, as its course, traced upward, changed from east and west to southeast and northwest, the Puritan colony, having swallowed up Plymouth and Maine, was granting towns and exercising jurisdiction in a considerable part of what are now Rockingham and Hillsborough counties, and the whole of Cheshire, — thus shutting up New Hampshire to a small segment between the actual Merrimac and the Maine border. Not much notice was taken of this while English tyranny and Indian warfare occupied the minds of the New Hampshire planters; but as the Province grew in numbers and wealth, they resisted the usurpation of their encroaching neighbor. No longer desirous of annexation to Massachusetts, the majority, in 1730, when Jonathan Belcher, a rich Boston merchant, for a time resident in England, succeeded Bishop Burnet's son William, as Governor of the two colonies, were ready to take offense at any partiality of the great man to his native colony or his private friends in New Hampshire. In 1726, under the popular lieutenant-gov-

ernor, John Wentworth, ill feeling was aroused about the large grants of land made by Massachusetts in the territory now New Hampshire, and then claimed by Wentworth and the Assembly, in an appeal to the king to establish a boundary line between the two colonies.

New Hampshire retaliated by granting other townships in the same territory; and secured court favor in England by voting her Governor a fixed salary, as Massachusetts would not. This did not prevent the appointment of Belcher, who, it was argued in England, being a native of Massachusetts, could bring that stiff-necked people to terms. Nor did John Wentworth oppose Belcher's appointment, though he would have preferred Shute, a former governor, and did prefer Burnet, who held the office but a few months, and took a strong prejudice against the Puritans, as contrasted with his fellow-subjects in New York and New Hampshire. Belcher, in the mean time, instead of conciliating the powerful Wentworth interest, broke with his lieutenant-governor, and formed a faction of his own in New Hampshire, at the head of which was the third Richard Waldron, grandson of the Major; a person of more education than propriety of speech and conduct, if we may judge by his correspondence with Governor Belcher. John Wentworth soon died, leaving an excellent reputation, and a son, Benning, afterward Governor, whose abilities were greater, but his manners not so agreeable, and

his temper more imperious. He had not, however, the petty traits that appear constantly in Belcher's public and private papers; while his connection and alliances with the Atkinsons, Plaisteds, and his own Wentworth cousins, gave him great social and political influence. He was brought up a merchant, like Belcher, and had resided in Spain, against which country, soon at war with England, he held large claims, which gave him importance in England. His manners were said by his enemies to be haughty and reserved, like the typical Spaniard's; and Belcher and Waldron, in their scurrilous correspondence, nicknamed him "Don Diego."

New Hampshire had a real grievance against Massachusetts in the boundary affair; for the strong Massachusetts towns, claiming limits which encroached on the young and feeble settlements of New Hampshire, would arrest men for refusing to pay taxes in the neighboring colony. The Wentworths and Atkinsons placed themselves at once at the head of the party which demanded immediate decision of the boundary questions. And it was their money, advanced as a loan or given as a bribe, which finally turned the scale in favor of New Hampshire. The Lords of Trade early favored New Hampshire, as Belcher thought, and very likely with truth. Years after the boundary should have been fixed the final decision came, — Massachusetts deferring or neglecting the measures

needful to settle the dispute. It was offensive to the powers in England to be thus held off by a colony which had never stood too well at Court, from Charles I down to George II, and which George III was soon to find even harder to manage. New Hampshire was more fortunate in her agents, and the simplicity and liberality of her people won her friends in England, when attention could be given to so small and remote a province. Her ship-timber, too, was an important article in the affairs of a naval kingdom like England; while Massachusetts was looked upon as a rival rather than a customer by the shopkeeping nation which England was fast becoming. Compared with New Hampshire, she was large and mercantile; while the colony of the Wentworths, though governed by merchants, was chiefly rural and pastoral, with a strong element of foresters, trappers, and lumbermen. The number of her towns in 1732 was less than twenty-five, and a third part of these were made by dividing the old towns; for population pushed but slowly into the wilderness, so long as Indian fighting was frequent. One part of the grievance against Massachusetts was that the towns she granted and settled were those less likely to be attacked by savages, because the unquestioned New Hampshire towns stood between the southern townships and danger.

Finally, in 1737, the Privy Council decided that the southern boundary of New Hampshire must

run west and not northwest, and the two colonies were asked to have the line established on that theory. Massachusetts still held off, but the work went on without her. It was completed in 1741, and ever since the area of New Hampshire has been respectable, — something more than nine thousand square miles.

The closing months of this contest were marked by a singular intrigue, in which Massachusetts, through Edward Hutchinson, became injuriously prominent. Having neglected to purchase the claim of the Masons when to do so might have prevented harm and loss to all parties, Massachusetts now began to tamper with the great-grandson of Robert Mason, in whom the title had been found to rest, in consequence of a flaw in the legal proceedings by which Allen became the owner. The Massachusetts agents now encouraged this John Tufton Mason, a grandson of Catharine Tufton or Mason, who was a niece and legatee of Walter Barefoot, to assert his claim (for which his grandfather had been paid by Allen), and quitclaim to Massachusetts some twenty-four thousand acres which it was foreseen the line, when established, would transfer to New Hampshire in the border towns of Salisbury, Amesbury, Haverhill, Methuen, and Dracut. He was also, under Massachusetts tuition, to bring forward his revived claim as a means of defeating New Hampshire. This scheme being mentioned to the king's solicitor, he advised Mason and Massa-

chusetts not to bring it forward, lest the Lords of Trade should think it an artifice to perplex the main cause.

Indeed, the whole course of Massachusetts, and of the Governor of the two Provinces, was dilatory, crooked, and unstable; while the New Hampshire people, represented in their popular Assembly (for the Council and Secretary Waldron sided with Belcher), pressed forward with zeal, sent capable agents to London, and dealt plainly and promptly with the colonial commission appointed by the king, from Nova Scotia, Rhode Island, and New York. This met in the summer of 1737, and gave an evasive decision, from which both sides appealed to the king. It was after this appeal that Hutchinson, for Massachusetts, intrigued with the younger Mason, and was obliged to give up his scheme. But before this, Massachusetts had dealt with some duplicity in regard to the original Mason charter, and had apparently left suspicion in the mind of the Privy Council that her claim had little real foundation. This suspicion was increased by the obstructive and capricious course of Belcher, and the result was, not only to give New Hampshire more territory than she would have compromised on twenty years before, but to occasion the removal of Belcher from both his governments. He was succeeded in New Hampshire, thus enlarged in area, by Benning Wentworth, son of the late lieutenant-governor, and in Massachusetts

by William Shirley. Both were the superiors of Belcher in executive ability, tact, and a certain aspect of integrity, which in Wentworth's case may not have covered greater virtue than did the trimming and suspicious character of Belcher. Wentworth's appointment was directly due to the Duke of Newcastle, who, in the complications of the Spanish war (which Walpole was forced to declare by the opposition of Newcastle and others of his former supporters), had come under obligations to Wentworth, with his heavy claims against Spain. Non-payment by Spain (which was one of the causes of war) had made Wentworth bankrupt, and his creditors were London merchants. They aided his friends in New Hampshire to get the separate governorship for him, and paid £300 for fees and bribes in that affair, which Atkinson and the Wentworths afterward repaid. The new Governor returned from England with his commission in 1741, and took office December 13 in that year; he then called an assembly from thirteen towns, to meet January 13, 1742, and twenty representatives appeared. In his first speech he congratulated them on the settlement of "the tedious dispute with the Massachusetts Bay, which has subsisted, in one shape or another, upwards of threescore years;" and went on to say that the separation of the two provinces was "an event which, if rightly improved, will, under the direction of Heaven, be a lasting advantage; will be a means

of replenishing your towns with people, of extending and enlarging your commerce."

It did have that effect; and it also led to the rapid granting of new towns by Wentworth, and their settlement, after King George's war with France had ended, and the frontier was no longer harassed by hostile Indians. The towns granted by Massachusetts, which came into New Hampshire by the determination of the boundary, were also a valuable accession; although in some instances, as at Rumford (now Concord), a long dispute took place between the Massachusetts and the New Hampshire grantees. From Wentworth's accession, then, the noteworthy prosperity of the Province took a fresh start, and the way was prepared for the important part which New Hampshire played in the Revolution of 1775.

The Belcher and Waldron interest in Massachusetts and New Hampshire endeavored, from 1747 to 1750, to oust Governor Wentworth, and they coaxed Colonel Isaac Royall of Medford, a rich West India merchant who had retired from business, to be their candidate, and to put out a thousand pounds to help his appointment. After this intrigue had gone on for some years, it was quietly dropped, and both provinces came to regard the separation from each other as a mutual benefit. So it doubtless was. But the connection had also been a benefit on several occasions. It had defended the adventurer in his trade, the hunter and

coureur des bois in their roving life, and had given to education and religion that prominence which they rightfully hold. The animosities excited by Massachusetts in different periods have reappeared at intervals, and were very active from 1830 to 1845, while Daniel Webster was the political leader in Massachusetts, and Isaac Hill in New Hampshire.

CHAPTER VIII

THE SWITZERLAND OF AMERICA

THE triumph of Wentworth over Belcher, and of little New Hampshire over powerful Massachusetts, brought the Province, now to be governed by the Wentworths and their kindred for a whole generation, into broader limits than it could long maintain. For the adoption of the southern boundary line, running due west until it should meet other grants or provinces of English kings, practically threw all Vermont, for a quarter-century, into New Hampshire. This whole territory, as enlarged by the later Treaty of Paris, contained something more than 18,300 square miles, of which a little more than half still remain to New Hampshire. It included the highest mountains east of the Rockies and north of the Carolinas, — the White Hills, — and also the Green Mountains, which afterward gave a name to Vermont. This fact, and the adventurous and bold character of the people, whether east or west of the Connecticut River, presently won for the Province the name of "the Switzerland of America." It was an ambitious title, not quite justified by the height of its mountains or

the extent of its territory; but the phrase has been long in use, and was then fairly appropriate. The domain itself, from 1740 to 1764, when King George gave to New York nominal jurisdiction over Vermont, lay between latitude 42° 41′ and 45° 11′; and in longitude, measured from Greenwich, between 70° 40′ W. and 73° 26′ W. The number of acres in what is now New Hampshire is a little short of 6,000,000, of which 100,000 acres are in lakes, and as much more occupied with the barren summits and difficult wooded slopes of numerous mountains. The highest of these, Mt. Washington, is 6300 feet above the sea-level, which can be distinctly seen, near Portland, from its top. At least thirty more New Hampshire mountains are above 3000 feet high, and twenty exceed 4000 feet; higher, that is, than Cithæron, in Attica. From this extreme height to the lower range in Nottingham and Deerfield, of 800 and 1000 feet above the near sea, many mountains are interspersed, giving rise to rivers small or large, and sometimes to goodly lakes. Fertile valleys and sloping plains lie in this network of mountains; and these slowly attracted the men ready to take service in subduing the wilderness or fighting the hostile savage.

For a hundred years after the first colonists sat down by the Pascataqua, the inland regions could not be occupied safely, by reason of Indian hostilities; nor did these cease until long after the

accession of Benning Wentworth as Governor. Indeed, one of his first memorable acts was to help his neighbor in Kittery, Colonel Pepperrell, fit out the expedition which in 1745 captured Louisbourg, — the plan for this surprising attack on the French fortress having been formed by a New Hampshire merchant, William Vaughan, grandson of the merchant who had been active in resisting Cranfield and Mason. In this war several of the Governor's near kinsmen took an active part; one of whom, Theodore Atkinson, second of the name in New Hampshire, had twenty years before made the journey to Quebec to ransom Indian captives, and insist on terms of peace with the Indian allies of France. About that time (1719–23) the Province received an accession from northern Ireland, the so-called Scotch-Irish, some of whose elders had been at the long siege of Derry by James II. They proved to be among the most resolute planters of new towns in the "chestnut country" and further north and west; introducing Scotch Presbyterianism, Scotch clan-names, and the Irish potatoes among the descendants of English Puritans and Cavaliers. After the Jacobite rebellions of 1715 and 1745, refugees from Scotland itself came over in small numbers; and this infusion of the Highland and Lowland blood tinged perceptibly the population that furnished soldiers for the war which expelled the French arms from Canada, and at last relieved New Hampshire from all dread of Indian raids and massacres.

Taking advantage of the acquaintance acquired, in this final war, with lands along the upper Connecticut and toward Lake Champlain, Governor Wentworth, after Wolfe had captured Quebec, granted numerous town charters in New Hampshire and Vermont; in the latter district not less than a hundred and thirty between 1760 and 1767. He had previously made many grants nearer to Portsmouth and Dover, while Massachusetts had done the same in the extensive southwestern section of the Province which she claimed as her own. Occasionally these grants conflicted, as the early royal grants did in the seaboard settlements, and it was necessary to call on the Privy Council to settle long controversies thence arising. The most noteworthy of these was the contest between the Wentworths and their partisans, under the title of "proprietors of Bow," and the actual settlers of what is now Concord (earlier known as Rumford and Penacook), headed by their two leaders, Timothy Walker, father-in-law of the eminent man of science known to the world as Count Rumford, and his first son-in-law, Benjamin Rolfe. This contest repeated the principles and secured the result which had shown themselves in the struggle between the absentee landlords of 1650–90 and their hard-working tenants on the tidewater. It also brought out in a glaring instance one source of the large wealth and extending influence of the Wentworths of Portsmouth, — their reservation of land

to themselves and their friends in hundreds of town charters, which they granted between 1720 and 1775. In a peaceful way — for it was not a family of soldiers, either in England or New Hampshire — the Wentworths repeated there such aggressions as the Hapsburg governors more violently practiced in the Forest Cantons of Switzerland, and thus led to the independence of the Swiss. The story of those far-off and legendary days cannot be read, especially in the verse of Schiller's "William Tell," without recalling to a son of the Granite State the annals of his own ancestors.

While the title to the jurisdiction of the lands about the Merrimac was still undecided by the Crown, Massachusetts had asserted its claim practically, and gathered money into its exchequer, by granting townships in the disputed territory. It was not from her General Court that the Scotch-Irish from Ulster got their original grant of Nutfield, which they promptly renamed Derry and Londonderry; but it was in Massachusetts (at Newburyport) that they landed, after having the same experience in Casco Bay that repelled the colonists of the Plough Patent nearly a century earlier. It was there, too, that Owen O'Sullivan of Ardea in Kerry, father of two governors, John and James Sullivan (one of New Hampshire, the other of Massachusetts), landed, under the name of John Sullivan, at the age of thirty-one, and began to "diffuse learning," as his obituary said, for sixty

years, in the Pascataqua region, — sometimes on one side of the river, and sometimes on the other.

This descendant of four Irish countesses and the ancient kings of Kerry had abandoned the paternal castle on the Kenmare (for what cause is not known), changed his name, and come over to Newburyport in an emigrant vessel, bound to service for the payment of his passage, which he was "working out" with a Newbury farmer named Nowell. According to family tradition, being "genteelly bred and liberally educated, he there wrote a letter, expressed in several different languages," to Rev. Samuel Moody (one of the ancestors of Waldo Emerson), the minister of York, asking his aid towards a better position. The learned minister could not read all the languages, for one of them was Irish Gaelic, but he procured the polyglot bondman a private school at Berwick. Thence he radiated to different towns in the course of his life of a hundred and three years, and in 1743 fled to Boston to escape the scoldings of a too irritable wife, who appealed to him, in the Boston "Evening Post" of July 25, 1743, to return to New Hampshire, where she was then living, and forgive her.[1] She had come over,

[1] She dated her epistle at Somersworth, N. H., July 11, 1743, lamenting "your abrupt departure and forsaking of your wife and tender babes," and confessing that she was to blame "by my too rash and unadvised speech and behavior towards you." She added, "Why should a few angry and unkind words from an angry and fretful wife, for which I am now paying full dear, make

like himself, as a bound servant (Margery Brown by name), had been "ransomed" by Master Sullivan, and when she was twenty-one, about 1735, had married him. The New Hampshire General and the Massachusetts Governor were her children, John born in 1740 at Berwick, and James in 1744.

But this is a digression. The grant from Massachusetts at Penacook was not made to the new Scotch immigrants at Londonderry, — "Irish," as they were called by their Puritan neighbors, much

you thus to forsake me and your children?" Master Sullivan returned, and at the age of ninety used to mount his horse and ride from Berwick to Durham, where his son, the General, was living as judge or Governor; returning home the same day, a journey of thirty miles. At ninety-three, he wrote to General Sullivan, regretting his great age, telling the story of his Irish kinsmen, and saying, "They were all a short-lived family; they either died in the bloom or went out of the nation; but the brevity of their lives, to my great grief and sorrow, is added to the length of mine." He closed his letter with a Latin quatrain in elegiacs, which reads thus in English: —

> "Was Adam all men's sire, and Eve their mother?
> Then how can one be nobler than another?
> Ennobled are we not, by sire or dame,
> Till life and conduct give us noble fame."

This sturdy Irish veteran, bred a Catholic, but living a New England Protestant until 1795, has been introduced as a romantic character (which he surely was) into Miss Jewett's admirable romance of *The Tory Lover*. He was evidently one of those Kerry youths whom Lord Herbert of Cherbury mentioned in his report of 1673 as "learning of needless Latin instead of useful trades," — the class subsisting into the reign of Queen Anne, when Owen O'Sullivan was learning the Latin and Greek which he taught along the Pascataqua.

to their dislike, — but to the survivors of a memorable Indian campaign in 1723–24. The war of those years had been stimulated by French priests in Maine and Canada, the attacking parties coming down to the Pascataqua towns by way of Lake Winipiseogee, distant in its nearest bay only thirty miles from Cocheco Falls in Dover. In the summer of 1723 they began their raids at Dover, and soon were murdering and capturing women and children at Newmarket and Durham.[1] In the spring of 1724 they extended their raids to the

[1] It should be mentioned, as an example of what particular families suffered by these attacks, that Mrs. Rawlins of Newmarket, whose husband and daughter were killed in this raid, was a daughter of Edward Taylor, who was killed by Indians at the same place in 1704; and that Tristram Heard, slain in Dover, was the son of that Mrs. Heard whose life was saved in 1689 by a grateful savage. The Dover Quakers were as little spared by the Indians and Jesuits as were the Puritans; one of them, John Hanson, had two of his children killed and scalped while he was at the Weekly Friends' Meeting. His wife and four other children, one an infant of two weeks, were carried to Canada and sold to the French. Mrs. Hanson, says Belknap, "had a firm and vigorous mind, and passed through her hardships with much resolution and patience. When her milk failed, she supported her infant with water, which she warmed in her mouth and dropped on her breast; till the squaws, pitying her, taught her to beat the kernels of walnuts and boil it with bruised corn, which proved a nourishing food for her babe." She was redeemed by her husband in 1725, with three of her children; but the eldest daughter was retained, converted, and married to a French Catholic. Villieu, a French officer, describing his raid of 1694, gives the plan adopted in many of these affairs. "They divide into bands of four or five, and knock people in the head by surprise, *which must have a good effect.*"

new town of Kingston, which had been broken up by Indian attacks in a former war, and took away Peter Colcord and three Stevenses to Canada. In Durham, the following June, after an encounter in which two townsmen and one Indian were killed, the assailants withdrew, leaving their leader, of the Castine family (with his fine fur coronet and bells, whose sound his men were to follow, his prayer-book and muster-roll of one hundred and eighty warriors), to be scalped and conjectured by the provincials. They thought him a son of Father Rasles by his Indian laundress; but he seems rather to have been a son or grandson of the Baron de Saint-Castin by his Indian wife. Acting under the impression that the savages were Father Rasles' Christians from Norridgewock, two Maine captains, with two hundred men, in August, 1724, pushed through the woods to Norridgewock, killed Rasles and fifty or sixty of his church militant, burned his church and their huts, and brought away the church ornaments as trophies.

The Puritan settlements were extending northward from Dunstable, and in the same year Thomas Blanchard and another were captured in Nashua, and carried to Canada; their friends, following up the savages, were ambushed and killed. This incited John Lovewell, a brave man of the Massachusetts Dunstable, to raise a band and make a winter campaign against the Indians, of whom he surprised and slew ten, in February, 1725, as they

were coming down from Canada with new guns, blankets, and snowshoes, for the better removal of captives whom they hoped to take and sell. Three weeks later, Lovewell, with a party of forty-six, set forth again, built a fort at Ossipee, and pushed on to Fryeburg in May, where the Pequaket Indians had a village. On the shore of a great pond they espied and shot an Indian, and were themselves discovered and counted by a band of Indians larger than their own. Falling into their ambush, Lovewell and a third of his small force were killed or wounded; the rest made good their retreat of sixty miles, with less than half the original force. In recompense, they and their friends were granted shares in the Penacook townships, one of which, Suncook, was granted outright to the survivors of Lovewell's band and the heirs of the slain. The upper Penacook grant had been made a little earlier, by Massachusetts, to Benjamin Stevens and others, who were jealous of the New Hampshire authorities, and afraid the Ulster men might forestall them. Massachusetts had five years before warned the Scotch-Irish away from Londonderry, because they had "presumed to make a settlement upon lands belonging to this Province, which they call Nutfield, without any leave or grant obtained from the General Court." And now the Penacook petitioners to Massachusetts declared, —

"That many applications have been made to the government of New Hampshire for a grant of the

said land; which, though it be the undoubted right and property of this Province, yet it is highly probable that a parcel of Irish people will obtain a grant from New Hampshire for it, unless some speedy care be taken to prevent it."

Such care was taken, and the Massachusetts grant made; but as the Tyngs, Wainwrights, etc., from Boston, were making their survey for the grantees, in May, 1726, their recorder, John Wainwright, noted in his diary of May 14: —

"This day about noon, Messrs. Nathaniel Weare, Richard Waldron, Jr. and Theodore Atkinson, a committee from the Governor and Council of New Hampshire, came up to our camp, (being attended with about a half-score of Irishmen, who kept at some distance from the camp) and acquainted us that the government of New Hampshire had sent them to desire us that we would not proceed in appropriating these lands to any particular or private persons; for that they lay in their government, and our government's making a grant might be attended with very ill consequences to the settlers, when it appeared that the lands fell in the New Hampshire government."

Wainwright and his comrades sent back a civil answer to the lieutenant-governor of the Province (John Wentworth), but went on with their survey; and presently noted that "divers rattlesnakes were killed by the surveying companies; but, thanks be to God, nobody received any hurt from them." Rattlesnakes or Scotch-Irish to the contrary notwith-

standing, the Puritans were bent on carrying out the order of the Great and General Court, and did so. Their grantees occupied Penacook in 1727–28, and had so much increased in number by October, 1730, that they settled a minister, Rev. Timothy Walker, a recent graduate of Harvard, and ordained him, where he was to remain for fifty-two years, the leading citizen of the town, which presently took the name of Rumford. In the ordination sermon, Mr. Barnard of Andover directed attention to the history of the place as having been long the home of a hostile Indian tribe, saying: "Your settlement is in a place where Satan some years ago had his seat, and the Devil was wont to be invocated by forsaken Salvages; a place which was the rendezvous and headquarters of our Indian enemies." It was within the limits of Rumford, on an island in the Contoocook River, that Mrs. Hannah Dustan, daughter of Michael Emerson of Haverhill, had in 1690 freed herself and her children from Indian captivity by killing her captors as they lay asleep. The town thus became a new frontier, and was so described in the appeal to the king which Colonel Rolfe and his father-in-law, Parson Walker, sent to England in 1753, when the New Hampshire courts, influenced by the Portsmouth gentry and the hostility of the people to Massachusetts, had repeatedly decided against the Rumford colonists, and sought to invalidate their land grants and purchases. Appealing first to Governor Wentworth,

in 1744, Rolfe said his people were settled "on the main gangways of the Canadians to this Province," and that to dispossess them "will greatly disserve His Majesty's interest, by encouraging his enemies to encroach on his derelict dominions; and be all-hurtful to the Province, by contracting its borders, and by drawing the war nearer to the capital," which was Portsmouth, then reasonably safe. This was illustrated in 1746, when the Indians, under French instigation, attacked the settlement more than once.

When Weare, Waldron, and Atkinson went back to Portsmouth in 1726, they reported to John Wentworth the contumacy of Massachusetts officials. Thereupon Wentworth was angry, and in the next year, 1727, in a speech which he afterward withdrew, he recommended the Assembly, —

"That you will consider some expedient to prevent the disorderly people of the other Province from coming into this, and pretending to lay out plats of townships in His Majesty's Province, already chartered by this government to His Majesty's good subject. Which may tend to overthrow the good order, and be destructive to our peace, if not speedily prevented by good wholesome laws made for that end."

One means taken by the Wentworths was to grant the town of Bow, in May, 1727, to the Governor and Council of New Hampshire, and their associates, a hundred in number, and to include in its territory the greater part of Rumford and Sun-

cook (now Concord and Pembroke), as well as the present town of Bow. This was to offset the Massachusetts grant of two years earlier, and, had it been followed up by actual settlement under the grant, would have given the Massachusetts planters much trouble. But no settlement was made by the New Hampshire grantees, while the Rumford men went forward and complied with all the conditions of their grant, long before the order of the king in council fixed the boundary line so as to bring Rumford into New Hampshire. A year after this order (1742), New Hampshire established the towns granted by Massachusetts as districts, of which Rumford was one; with liberty to tax for the support of church, schools, etc., but without representation in the legislature. This temporary measure was continued until 1749, when Rumford was disfranchised by failure to renew the District Act, and suits were begun against the individual owners there, by writs of ejectment. The first was entered in the lower court, December, 1749, and the value at issue was too small to allow an appeal to the king. Consequently, the courts being in the hands of the Governor, sheriff, etc., who were interested in the Bow charter, verdicts were steadily given against the Rumford settlers, and no appeal allowed, although the king in his order of 1741 had expressly specified that rights of property should not be lost or damaged by the change of boundaries. The case was flagrant, and even worse in

some respects than that of Mason and the first settlers; for they could appeal, although the royal council was prejudiced against them.

The result was a triumph for the settlers, as before, and a fine vindication of the justice of English law when political considerations do not bias opinion and pervert equity. The Rumford "Proprietors" (an organization provided for most of the new towns) were still in legal existence. They met and voted that they would maintain the rights of their members at the expense of the whole body, and proceeded to sell some of their common land to meet the cost of suits, and of an appeal to England. When case after case went against them in the local courts, and the Governor and Council neglected to do justice, — being parties in interest, and unwilling to decide against themselves, — the Proprietors sent Parson Walker to plead the cause in London, by an appeal to the king as petitioners. Colonel Rolfe stayed at home to look after the inhabitants, and Rev. Timothy Walker set forth for England in the autumn of 1753. He retained as counsel the famous Murray, better known as Lord Mansfield, — a bitter Tory, but a just man, apt and profound in legal lore. He procured a hearing before the Privy Council in October, 1754, and in June, 1755, it was ordered by the king in council,

"That a judgment of the Superior Court of the Province of New Hampshire, recovered by the proprietors of Bow against the said John Merrill, on the first Tues-

day of August, 1753, should be reversed; and that the appellant be restored to what he may have lost by means of said judgment. Whereof the Governor and Commander-in-Chief of His Majesty's Province of New Hampshire for the time being, and all others whom it may concern, are to take notice and govern themselves accordingly." [1]

This ought to have finished the matter; but did not. The Wentworths brought another suit, this time for a larger sum, so as to allow an appeal to London, and made Colonel Rolfe one of the defendants. Once more the courts decided against justice, and again Parson Walker went to London to present his appeal. Lord Mansfield, being then on the bench, could only take part as a friend; but Mr. Walker quotes him as laying down the law, with his usual clearness: —

[1] See J. B. Walker's "Bow Controversy" printed in the *Proceedings of the New Hampshire Historical Society* (Concord, 1902), pp. 261–292. In support of the cause of their Rumford grantees, the Massachusetts General Court voted £100 sterling in 1753, and instructed an agent, Mr. Bollan, to aid them in London. This action, had it been remembered at the time, would have served as a precedent for Massachusetts to vote an appropriation in aid of her former citizens in Kansas, in 1857, as petitioned for in the session of that year, and advocated by John Brown, the hero of Kansas and Virginia, who appeared before a committee of the General Court for that purpose, introduced by the present writer, then Secretary of the Massachusetts State Kansas Committee. Two States did make such appropriations, — Vermont by its legislature, and Iowa through its governor and adjutant-general, who sent in some of the state muskets to defend the Free State settlers.

"Whoever settled under a grant from either side, if he happened to be on the wrong side of the line, as he was precluded from defending himself by his grant, *his possession should be his title ;* and possession with a grant from Massachusetts was as good as with a grant from New Hampshire. It appeared that Bow had chosen committees to waive people from trespassing [with a sneer], but Massachusetts people were strong, and went on and settled, while Bow only claimed. The order of the King in Council was the great point; the words there were, not private *possession*, but private *property*. What a man claimed under a certain title, *part whereof he actually improved*, was his private property."

The king in council heard the report, which was in accordance with Mansfield's summing up, and stigmatized the Wentworths and their associates as "certain persons in New Hampshire, desirous to make the labors of others an advantage to themselves;" and on the 29th of December, 1762, reaffirmed the order of 1755, reversing the decisions in Portsmouth, and directing "that the appellants be restored to what they may have lost by reason of said judgments."

The principle declared by Mansfield is the same in essence as that affirmed by Halifax in censuring Cranfield, and by the council of James II in restoring his forfeited estate to Edward Gove in 1685. It is this, — that a natural right lies at the foundation of legal right, and will be maintained against technical fictions and interested verdicts.

It is the good fortune and should be the pride of New Hampshire that, when her people were few and poor, they found citizens stout enough to stand up for natural right, and maintain the contest until the slow and heavy artillery of the law came up to give them the victory.

It will be seen by these transactions that the Province was like Switzerland of the eighteenth century in this respect, — that it was an oligarchy, where powerful persons, imitating in their small acre the aggressive nobles of Berne, had their own way for a while, until the democratic spirit, which Calvinism fosters, brought about more equality and freedom. Everything in New Hampshire before 1740 was small, — the territory, the opportunities, the riches, the ambitions, — everything but the foundation ideas upon which their commonwealth was based. After that date the landscape broadens. In 1730, according to a report made to the home government in that year, the whole population was but 10,200, of whom 200 were "blacks;" but the increase in ten years had been 4000, or more than 65 per cent., and of these "1000 at least are people from Ireland, lately come into and settled within the Province." A reason for the other increase was "a peace with the Indians the last four years; there are now in time of peace no Indians within the Province." The shipping is rated at only 500 tons belonging to the Province; other vessels annually trading there, at 400 tons; the number

of seafaring men only 40. The exports to Europe and the West Indies were £1000 sterling in a year, but by the coasting trade to Boston £5000; and all sorts of British manufactures came in, up to £5000 sterling a year. The militia were 1800, in two regiments. At this date the inhabitants of Rumford were probably 300; in 1767 they had increased to 752, and in 1775 to 1052, — more than trebling in forty-five years. The rest of the Province increased even faster, and wealth in the chief towns grew rapidly. The expedition which captured Louisbourg in 1745 was carried through by the enthusiasm of William Vaughan, and the ability and discretion of Governor Shirley of Massachusetts, seconded, as both were, by the energies of the Wentworths, and the popularity of their neighbor, Colonel Pepperrell. The soldiers sent by New Hampshire were 500, or an eighth part of the force contributed by the three colonies of Massachusetts, Connecticut, and New Hampshire. Much of the glory went to Vaughan, who, with only thirteen men, took and held the great battery on the shore; and the New Hampshire troops did much of the heavy work of putting the siege artillery in position. They were still more conspicuous in the next war with France, where John Stark first distinguished himself.

In the mean time, Governor Wentworth, while enriching himself by the reservations made in his town grants, was losing his hold on his offices. He

had a standing quarrel with the Assembly for years, which lost him some of his friends in England, although he was sustained in his specific acts of disallowing his enemy, Waldron, as Speaker, and summoning several new towns to send representatives. The king looked on such acts as part of his own prerogative, which might well be assumed by his viceroy. But New Hampshire lost ground in England on Wentworth's account, and at several distinct intervals efforts were made to remove him. He quarreled often with the Assembly, negatived their choice of Speaker (which they claimed as an act of usurpation, though the king upheld it without exercising his own prerogative in that way), and in various affairs Wentworth displayed the imperious temper which he certainly had, and in which his nephew, who succeeded him as Governor, was wholly lacking. Yet Benning Wentworth was in many respects a good chief magistrate; too intent on increasing his riches, and not very scrupulous in the manner of meeting his opponents; but courageous, active, until age or gout disabled him, and with all the shrewdness of a successful merchant, and all the ambition of a rising man. His hope was to plant a family, supported by a great landed estate; and in this he was by no means singular among New England men. His first children dying, he married late in life, under circumstances which brought some discredit on him; the second Mrs. Wentworth being some forty years younger

than himself, and a servant in his house before the marriage, which was suddenly resolved on, and imposed by his magisterial authority on the Anglican clergyman who performed the ceremony (Rev. Arthur Browne), in 1759. One of his council, James Nevin, being in London soon after the accession of George III, was questioned closely as to this marriage, and wrote to Secretary Atkinson (November 14, 1761), "Ill will had carried a report to the officers that the Governor had married a dirty slut of a maid. I was asked about it by people of figure. I told it as I think it really was, and the Governor was approved of." The name of the bride was Martha Hilton, a descendant of the Hilton family who first settled on the Pascataqua, and of as good an origin, except in wealth, as the Wentworths. She had the gift of beauty, was a graceful and favorite person, in both her marriages, and her daughter Martha married her distant cousin, a nephew of Sir John Wentworth.[1]

[1] Martha Hilton is the heroine of Longfellow's poem *Lady Wentworth*, but she never properly had that title. Her second husband was an English Michael Wentworth from Yorkshire, and in 1789 she entertained President Washington at her house in Little Harbor, which the Governor bequeathed her, with most of his other property, in 1770. He was born in Portsmouth in 1695, and was two years older than his brother-in-law, Atkinson, who had equal or superior abilities, a better education, and was a firm supporter of the Wentworth rule, by which he profited in estate and reputation. The late marriage of Benning Wentworth, and his bequest of property, led to family jars, by which for a time the reputation of his wife suffered.

The war between England and France (which first began in the Colonies, in 1754) found New Hampshire much exposed to attack from Canada, as in former wars; and Indian atrocities were renewed after a short interval of quiet, during which the colonists had pushed farther into the forest on both sides of the Province. Along the Connecticut and its tributaries towns had been granted both by Massachusetts and New Hampshire, and these now felt the savage assault. The tributaries of the Merrimac also had their upper settlements raided, about the time Washington was defending his fort in the Ohio region. A whole family in 1754 were carried captive from Salisbury, the native town of Daniel Webster, sold in Canada, afterward shipped for France, but captured at sea by an English vessel, and put ashore at Portland, — returning to Salisbury in 1758. In Walpole, Colonel Bellows, one of the first settlers, at the head of twenty men, broke his way through a party of fifty Indians, and gained the shelter of his garrison. Not far off, John Kilburn, in June, 1755, withstood a siege of two hundred Indians in his own garrison, with a force of three men and two women, and beat them off. He was the first settler in Walpole (in 1749), and lived to see the United States independent and Washington President, — dying in 1789 at the age of eighty-five. In Hinsdale (Fort Dummer in former wars), the Indians killed and captured twenty persons, among them Mrs. Howe, the "fair

captive" of the poetic David Humphreys in his life of General Putnam. Another of the Hinsdale captives, Eunice Gaffield, being sold in Canada, was sent to France, thence escaped to England, returned to Boston, and lived in Massachusetts till 1830, when she died at ninety-seven. Such was the romance and tragedy of the New Hampshire frontier towns for a hundred years; and the campaigns of this war were no less tragical and glorious for the yeomen of the Province, fighting or massacred after surrender, under the lead of Rogers and Stark, Messerve, Goffe, and many a brave captain, — among them a son of the Lovewell slain at Fryeburg.

At the capital the gentry of the Province — Wentworths, Waldrons, Weares, Gilmans, Atkinsons, Sherburnes, and the rest — did their part well, raising regiments and providing funds for the harassing and often alarming warfare. After defeats under the incapable Loudoun and Webb and the incautious Abercromby, which seemed to open New Hampshire to French invasion, their spirit rose with the danger. The old Governor, addressing the Assembly in September, 1756, closed by saying, —

"Argument or persuasions to lead you into so interesting a branch of duty and service, I look upon to be needless; because the hour seems to be approaching when the inhabitants of this Continent must universally unite in putting a stop to the French king's army. In

failure of which, we shall soon become Provinces and subjects of the French king; subjected to a government whose civil polity is tyranny, and to a religion teaching superstition and the worship of wood and stone, instead of that pure and uncorrupted adoration due only to the Supreme Being."

It was at this crisis that the genius of Pitt brought him to the front, and the force of one imperious and intrepid man put a new face on the hazardous situation in Europe and America. "No man," said Colonel Barré, "ever entered Mr. Pitt's closet who did not come out of it a braver man." His inspiration was soon felt in the Colonies, and evoked a kindred courage in the people whom he honored with his confidence. The formal and iterated language of his letters to Wentworth cannot disguise the greatness of soul which gleams through it: —

"His Majesty considering that the several Provinces, in proximity and accessibility of situation more immediately obnoxious to the main irruptions of the enemy from Canada, are of themselves well able to furnish at least 20,000 men; I am commanded to signify to you the king's pleasure that you do forthwith use your utmost endeavors to raise with all possible despatch, as large a body of men within your Government as the number of its inhabitants may allow. It is unnecessary to add anything to animate your zeal in the execution of His Majesty's orders on this great occasion; where the safety and preservation of America, and of your

own Province in particular, are at stake. And the king doubts not, from your known fidelity and attachment, that you will employ yourself with the utmost despatch in this urgent and dangerous crisis."

New Hampshire responded nobly to Pitt's appeal, and her small army of soldiers, every man a marksman, and more than half of them bred to a toilsome woodland life, were at the front in every encounter, except in those retreats where the post of danger was at the rear. It was service of this kind which made them so efficient in the battles of the Revolution; and more than one of their leaders won a great name in that conflict, John Stark in particular.

The debt arising from this war was less burdensome than formerly, because Pitt took pains to see that the Colonies were in part reimbursed for their outlays of money. Yet the finances of the Province were apt to be in arrears and confusion, and a depreciating paper currency, against which the good sense of the old Governor revolted, made the rich richer and the poor poorer. When in 1762 the leisure class in Portsmouth, — Wentworths, Rindges, Livermores, etc., — with the tavern-keepers, petitioned for a playhouse in the wealthy capital, John Langdon, then first coming into public life as a "selectman," and several hundred of the more sober and active of the citizens remonstrated, saying, among other things: —

"It would bring on many burdens and difficulties, in addition to those we have so lately suffered for want of the necessaries of life, and carry off the little remaining silver and gold there is in the town. Especially considering every mouthful of bread we have ate has been, for many months past, and what we shall use must be, for many yet to come, imported, we apprehend it would be destructive to the circumstances of the people, as well as their morals: and as the poor will always imitate the richer, every servant in town will soon turn player. For these and other reasons, — which your Excellency knows better than we do, *being better acquainted with things of this kind*, — we humbly pray no liberty for this purpose may be granted, at such a remarkable season and time as this."

The sly hit at the luxurious old Governor, who was implied to be a play-goer, and whose servant had lately turned fine lady, was appreciated by the people; and this must have been one of the first documents addressed to them by Langdon, who was in the public service for the rest of his long life.[1]

There seems to have been a real affection in New Hampshire for the worthy old king George II, who was closing his life as his armies were con-

[1] The Portsmouth idlers got their playhouse in time, but not on this occasion. They had had a newspaper and printing-house for six years (since 1756), and the sermon of Dr. Langdon, soon to be quoted, was printed by Daniel Fowle, at the office of his *New Hampshire Gazette*, which still exists, and is the oldest extant paper in New England.

quering Canada. An older member of the Langdon family, Rev. Samuel Langdon (then preaching in the first Portsmouth parish, and chaplain of the Assembly), in a sermon on the king's seventy-sixth birthday (November 10, 1759) and in gratulation for the conquest of Quebec, said of him: —

"He has always acted as under a proper sense of his dependance upon God; aiming to promote justice and virtue, love and peace in the nation, and secure to his subjects their civil rights, and the most valuable liberty, that of conscience. He has never attempted to deprive the people of any of their privileges; the spirit of his reign has been the most opposite to every degree of tyranny and oppression; and it is no inconsiderable part of the glory of it that he never would suffer any of the several denominations of Christians to be compelled to worship God contrary to the real free persuasion of their own minds."

These compliments were deserved, in spite of some imperfections of temper and morals in the sturdy Hanoverian. He died the next year, and the grandson who succeeded him earned a very different reputation in New Hampshire. But at first George III raised good hopes, reappointed the aged Governor, in spite of charges against him, was complimented by Parson Langdon in the name of his brother ministers in September, 1761, and urged to perpetuate the privileges of the New Hampshire churches.

Governor Wentworth went on granting new towns in both halves of his Switzerland, until George III, no longer so favorable to New Hampshire as his grandfather had been, by royal decree confirmed the claim of New York to the whole of what is now Vermont, in 1764. Among the first towns that he had chartered was that most celebrated one, named for himself, Bennington, where thirty years afterward, Stark and the men of New Hampshire defeated the Hessian mercenaries of King George. It is on the extreme western border of New Hampshire's claim, — indeed, the battle was mainly in what is now New York. The excessive fees and reservations made in these town grants, to enrich the Governor and his kindred, became subjects of complaint against him in London, and the king was about to remove him in 1766. His charming young nephew, afterward Sir John Wentworth, being in England, and paying court to the nobles Rockingham, Hillsborough, and Strafford, for whom he afterwards in gratitude named the counties of his native Province, prevailed on the Council to allow his uncle to resign, and was himself appointed the successor. He was also given an important office for the whole thirteen Colonies (Surveyor of the King's Woods), and in qualifying for that duty he landed at Charleston in Carolina in 1767, and came slowly up the Atlantic coast by land to his provincial capital, Portsmouth. There he was received with a genuine welcome, due to

his agreeable character and the extent of his family influence.

Up to this time few approaches had been made, except by bold explorers and trappers, to the White Mountains, which gave the name Switzerland to the Province. But the new Governor laid out his country estate, at a great cost, in the new town of Wolfeborough (named for the victor at Quebec), lying on the road to the high mountains, and so turned the stream of migration in that direction. The forest was now freed of Indian marauders and Jesuits hunting Puritan families to convert them to the old religion; and by the time John Wentworth had exiled himself from his government in 1775, the "Notches" of the Conway and Franconia mountains were passes for occasional travel, and openings into a region to which the patriots could retire, should the armies of the king occupy the seaboard, in the contest soon to grow bitter. The occasion never came, and the brave little Colony was never again invaded.

CHAPTER IX

THE REVOLUTION AND ITS SEQUEL

NEVER was a Province better disposed to satisfaction with itself, its Governor, or its King, than was New Hampshire at the close of Benning Wentworth's administration and the accession to power of his handsome and amiable nephew, John Wentworth. The conquest of Canada had removed forever the danger of savage invasion and the captivity and conversion of children. The population was fast increasing, new towns were springing up along the border of the receding wilderness; trade was growing, manufactures beginning on a simple but useful scale; the local governments were democratic, and every good man had his chance to hold office and show his capacity for leading other men. Monarchy and aristocracy had their modest share in the provincial government; but the young king was a true Englishman, faithful to his wife and his coronation oath, and had not yet been persuaded into the folly of taxing the colonies without giving them representation. The Stamp Act had been passed, but repealed, in deference to the opposition of the larger colonies, and the protest of com-

mercial England and that idol of New England, the elder Pitt. A group of families held the chief offices in New Hampshire, but the men who filled them were mostly native-born, and represented earlier struggles in which they or their fathers had taken the side of the people; they were modest, well-bred men, for the most part, ready for any service the public interest might require, and living simply if wealthy, or still more simply if poor, as several of them were. Taxation was heavy, for the cost of the seven years' war was great; but its result had been so glorious that public discontent hardly existed. John, son of Mark Wentworth, the last of the governors of that name, was in the prime of life, hardly thirty, when appointed to succeed his uncle, and less than thirty-two when he took the chair in March, 1768. He had graduated at Harvard College in the class with John Adams (1755), two years before his cousin, young Theodore Atkinson, whose youthful widow, his beautiful Boston cousin, Frances Wentworth, he married in his second year as governor; and had spent much time in England, managing important affairs and making friends with leading noblemen, who remained friendly during his later and less prosperous life. As governor he quieted most of the feuds his uncle and cousins had raised, but had one inveterate enemy, Peter Livius, of foreign birth, who took advantage of some events in the former administration to prefer serious charges against the new

governor. These were practically disproved in England, and Livius was given an appointment in Canada, to avoid a renewal of the controversy in the small provincial capital of Portsmouth, where half the men of property were the Governor's kindred.

The same English minister who had repealed the Stamp Act had appointed John Wentworth (himself active for the repeal) Governor, and given him his other office extending through the Colonies (Surveyor of the King's Woods). As in pursuance of this duty he landed in South Carolina, and made his way northward, proclaiming his commission in each colony, he was everywhere received with favor from his connection with the Marquis of Rockingham. In the division of counties which was soon made, he gave to the five New Hampshire counties the names of his powerful English friends, the Marquis, the Earl of Strafford, the Duke of Grafton, the Earl of Hillsborough, and the Earl of Cheshire.[1] In granting new towns, or regranting those which his uncle had unsuccessfully allotted, he also took pains to preserve the family names of his English friends and his own numerous connec-

[1] To these five counties have been gradually added as many more by division of the older ones, — Coos (an Indian name), from the north of Grafton, in 1803; Merrimac, from Rockingham and Hillsborough, in 1823; Sullivan, from the north of Cheshire, in 1827; and Belknap and Carroll, from Strafford and Grafton, in 1842. Sullivan took the General's name, and Belknap that of the first state historian. Carroll was named for Charles of Carrollton.

tions. His grandfather, John Rindge, who had done much to defeat the Massachusetts boundary claim, had one of the towns of 1768 named for him; and Mrs. Wentworth gave her name to Francestown, and her mother's name to Deering. Loudon, Fitzwilliam, and Shelburne still bear the names of noblemen. Another earl, Lord Dartmouth, soon became a patron of the new college which Governor Wentworth did more to found than either Dr. Wheelock or his patron, whose name the college perpetuates. Through the Wentworth influence, nearly 50,000 acres of land in the Province and in Vermont were granted to Dartmouth College, which opened its doors in 1770, and graduated its first class of four in the next year, to each of whom the Governor gave land for a farm. He also attracted to the Province, or retained there by appointments, able men from other colonies, such as Benjamin Thompson, afterward Count Rumford, and Edward Lutwyche, — both loyalists and exiles a few years later, along with the Governor himself. In his own favorite new town of Wolfeborough, the Governor laid out a large estate and built a country house, after the fashion of English gentlemen, upon which he expended, as he afterwards said, more than $50,000.[1] He thus gave

[1] His whole estate, valued at some £20,000, was confiscated in the Revolution, but did not become available for expenses of the war, being left for management in the hands of his father, Mark Hunking Wentworth, who sided with the patriots, but did not

employment to many men, and in every way encouraged industry and the arts in his government.

take an active part in affairs, dying in December, 1785. Writing from Halifax to Edward Winslow, a loyalist self-exiled from Plymouth, Mass., in March, 1786, Sir John Wentworth said: "In this vicinity there is nobody that has seen my estate at Wolfboro. I had selected the best of all my property in that country, granted in the large measure usual for such cases, — 4387 acres, but amounted nearer to 6000. It was subject to no service or quit-rent, a shire, market-and-fair-town, in the centre of a fertile and populous country. The roads were made; the Park (substantially fenced in) about 600 acres; in it a saw-mill and grist-mill complete. The house is 102 feet long, 41 wide, 24 or 25 feet in the posts; built of the best, and by the best workmen; two stable and coach houses, 62 by 40, 24 feet posts, built for duration, glazed and painted completely. One barn framed, boarded, shingled, painted, and as complete as possible, — 106 ft. long, 32 to 40 wide, and 18 to 22 high; a large dairy house, smoke house and ashes house. Carpenter's, blacksmith's, and cabinet-maker's shops, with all possible instruments and tools; cattle, sheep, horses, small stock, boats, implements, and furniture of all sorts, complete and in super-abundance. The whole included, I think the 4387 acres are under-valued at £5 sterling per acre (£22,000). I am sure, had I put the cash it cost me into the Boston treasury, the sum would have far exceeded. In 1774 the produce on that estate exceeded the consumption of my whole family; and you know how we lived. And every year it became more valuable without cost. In my estimation I put the whole at £20,000 sterling. I shall be obliged if you will be so good as to mention your opinion of my general establishment in town and country, — for houses, gardens, furniture, servants, equipages, horses, &c., — whether they were good, plentiful, and becoming my rank in that country, in proportion to what was done by other Governors and men of fortune in America."

In fact, though his town house in Portsmouth was not very magnificent, it is doubtful if any man north of Maryland had a finer country estate. It was smaller in area, but better built and

The rest of the gentry of the Province, with the clergymen of all denominations, were his friends, and perhaps no governor, before or since, was more popular with all classes. His own nature was manly and attractive, without vices, and with fair if not distinguished abilities; a sincere Christian and a good citizen, and from his office and character the first citizen in northern New England for a time.

The agitation for independence was unknown in New Hampshire until after the fight at Concord and Lexington; but the manifest purpose of the king to tax the Colonies, and the severity of his measures against Boston, after the Tea Party of December, 1773, roused the yeomen and mechanics and foresters of Wentworth's Province to resistance. The merchants and clergy had remained neutral, largely by reason of the Governor's popularity, and the extent of his family connection and influence. Young lawyers like John Sullivan, who had established himself in practice at Durham, and young merchants like John Langdon, who had returned from England fully persuaded of the evil designs of the ministry, took the patriotic side, and had warm support from the country towns, but the older towns held back.

equipped than Washington's Mt. Vernon was at that time. As returned in 1791, the estate was much less in value, and against it, in 1785, the Governor's father had claims amounting to £13,680. But it is not likely the Governor's estimate was excessive as to actual cost and value in time of peace. The war much diminished the value of real property in New Hampshire.

A Provincial Congress was called in New Hampshire, in July, 1774, after the regular session of the Assembly had been dissolved by the Governor, on account of its forming committees of correspondence with the other colonies. It met at Exeter, July 14, and elected Sullivan, then a major in the militia, and Nathaniel Folsom, also an officer, as delegates to the Continental Congress in Philadelphia. This movement toward the union of all the Colonies was only an extension, based on popular agitation, of that which in 1754 had led to a smaller Congress at Albany, in which New Hampshire had taken part, and was represented, with the approval of the government, by Colonel Theodore Atkinson, then provincial secretary, and Colonel Meshech Weare, then one of the leading assemblymen.[1] But the

[1] The journal kept by Atkinson on this expedition, when he made the journey in company with Colonel Weare, indicates how difficult was travel on such errands in 1754. The two gentlemen, — Atkinson fifty-seven years old and Weare forty, — went on horseback, and occupied twelve days going and nine in returning from Portsmouth to Albany, and *vice versa*. At present it would take but twelve hours, and a tenth part of the expense. Atkinson set out at 8 A. M. June 5, from his Portsmouth house near the waterside, rode fifteen miles to Hampton Falls, dined there with Colonel Weare, and passed the first night at Haverhill. On the 6th they reached Cambridge, where young Atkinson was in college, lodged with President Holyoke, and the next day dined with Mr. Vassall, and got as far as Sudbury. On the 8th they reached Worcester, where they spent Sunday. By the 11th they had reached Springfield, on the 12th Hartford, and were crossing the Livingston Manor in New York on the 13th. In Albany they met Dr. Franklin, had a colloquy with the Indians,

object of the Congress of twenty years later was so manifestly for resistance, in some form, to the ministerial measures, that Governor Wentworth felt bound to oppose it. He was unsuccessful, and began to have fears that his moderate course and general popularity could not prevent New Hampshire from following what he thought the ill example of Boston. These fears were confirmed when, in December (the 15th), 1774, a party, headed by Sullivan and Langdon, captured the fort at New Castle, removed to Durham, near Sullivan's house, one hundred barrels of powder, and sent most of the cannon and small arms to other places of safe-keeping, in anticipation of the war which they foresaw. It was with this powder, the next June, that the patriots fought the battle of Bunker Hill. Six weeks later, in a letter written to his Dover friend, T. W. Waldron, Wentworth related how Langdon and Sullivan dominated the second Provincial Congress, which indeed chose them delegates to the Congress at Philadelphia. But at first the Hampton Falls members, Colonel Weare and Rev. Paine Wingate, tried to stem the rising tide, and were refused a hearing. Weare, now a judge, speaking for moderation, was interrupted with cries of "Tory nonsense! We've had enough of it!" and when he next became prominent, it was as chairman of the new Committee of Safety, which virtually gov-

remained on duty in the Congress until July 10, and on the 11th started to return through Springfield.

erned the Province until it became a State in 1776. He was in fact elected by this body, which called itself a Convention and had a hundred and forty-four members, one of a committee of seven, with a cousin of the Governor, John Wentworth of Somersworth, at its head, to call another convention. This met in Exeter upon the news of the Lexington fight, with about seventy members, from half as many towns, who were soon joined by forty more from thirty-seven towns. They put themselves in communication with Warren and Adams of the Massachusetts Provincial Congress, and began to raise soldiers for the war. A fourth Provincial Congress met in May, with a still larger attendance of members. The president of it was Matthew Thornton, who afterward signed the Declaration of Independence, and it was evident that many of the members favored a separation from Great Britain. This convention raised soldiers, and voted supplies and arms; it also (June 8, 1775) addressed a letter of remonstrance to Governor Wentworth, for his rumored request to have British troops sent into the Province. Then it raised money by issuing bills of credit, and demanded and took possession of the Province records, so far as they could be obtained from the members of the provincial government.

In the mean time, more important measures than mere votes and addresses from the assemblies and the Governor had been taking place. On the 19th of April the first battle had occurred, beginning

at Lexington, renewed at Concord, and continued through the whole day upon the retreat of the invaders. New Hampshire was represented, even in this unexpected and impromptu fight, by one or more experienced soldiers, who had fought in the French war; and when the swift horsemen carried the news of the combat over the border into Wentworth's Province, the angry muster of thousands began there. Stark, receiving the message at his saw-mill in Dumbarton, mounted and rode night and day to Cambridge, where he was soon put in command of a regiment, many of whom had been with him in dangerous battle and ambush around Ticonderoga. The enlistment of New Hampshire soldiers went on rapidly, and before June 1 more than two thousand were under arms, and three regiments were in the neighborhood of Boston, where General Gage was besieged by a New England army of at least fifteen thousand men, commanded by General Artemas Ward of Massachusetts. A New Hampshire clergyman, Dr. Samuel Langdon, had left Portsmouth the autumn before to take the presidency of Harvard College, and around his house and the halls of study this army was encamped and undergoing discipline. Before June 17 Governor Wentworth had taken refuge at the fort of New Castle, and on that day the British attack on the redoubt at Bunker Hill was made and twice repulsed by men who fought with New Hampshire powder, and of whom a majority were New Hampshire men.

In the final assault, when Warren fell, the slow retreat of Prescott and his men was covered by the cool and sagacious Stark, who had piled the British dead in windrows at the front of his own line of battle. Several New Hampshire officers were killed or wounded in the fight or retreat; but their loss was trifling compared with the slaughter inflicted on the British officers and men by the deadly fire of marksmen from the woods of New Hampshire. After this battle, when the Governor, from "Castle William and Mary," required of his aged uncle, Theodore Atkinson, "the books and charters in the Secretary's office," that official was obliged to reply that the Provincial Congress had sent a committee to demand of him all his records and files, and had forcibly removed them to Exeter, the seat of the *de facto* government. The eight years' war had begun.

All through this war of the Revolution, the small and impoverished Province, soon to be the State of New Hampshire, "behaved itself as a party to the contest," as Emerson said of his town of Concord. Its soldiers made themselves felt in every campaign and almost in every battle. Their officers, Stark, Reed, Poor, Cilley, Sullivan, Dearborn, Scammell, distinguished themselves wherever distinction was to be won. John Sullivan from a provincial Major was made a Continental Brigadier, partly, no doubt, from his ardent eloquence and Irish zeal for the fight, without the calm and considerate hardihood

of Stark. He had not Stark's skill in conducting a campaign, although in 1779, when he led an army of three thousand men to destroy the Indian habitations and cornfields on the Chemung and Susquehanna rivers, in southern New York, his success was complete. By sea, also, the New Hampshire men were active and achieved good results. The first vessel of Paul Jones, the Ranger, was built by John Langdon, and fitted for fighting at Portsmouth, where shipbuilding had long been carried on. The officers and crew of the Ranger were mainly from the Pascataqua region, and some of them had a hand in the renowned sea-fight between the Poor Richard and the Serapis, where Jones was the hero of the day.

While every State of the original Thirteen, and even the incipient and disputed State of Vermont, was invaded during this war, New Hampshire alone escaped. Its position and its comparative poverty account in some degree for this. But its soldiers had early acquired that name for desperate valor which attaches to the people of certain countries, — to Scotland, Ireland, and Switzerland, for instance, — and the State profited by this. In the invasion of New York from Canada by Burgoyne, in 1777, he sent a strong detachment into Vermont, which seemed to threaten the western settlements of New Hampshire. Indeed, the whole of Vermont was then claimed by President Weare and his colleagues in New Hampshire as part of their domain.

Accordingly, General Stark, who had been unwarrantably passed over in some promotions by Congress, and who had thereupon resigned from Washington's army, was called upon by his native State to defend her and to repel the invasion. He accepted the task at once, took command of a small army, mostly made up of New Hampshire natives, marched across the whole breadth of New Hampshire and Vermont, and defeated Burgoyne's detachment in what is now New York. Bennington, which gives its name to this battle (fought in August, 1777), was left in Vermont by the border line agreed upon by Congress in 1782; but the actual fortification made by Colonel Baum and his Hessians, which Stark assaulted and carried, was west of that line.

This battle ended the advance of Burgoyne southward, and was the first step in that series of events which closed the military life of Burgoyne, and led to the French alliance and the recognition of American independence. Up to January, 1776, whatever individuals may have wished, the general sentiment of New Hampshire was for a restoration of the old relation between the Colony and the parent kingdom. The fifth Exeter Provincial Congress, elected late in 1775, after the departure of Governor Wentworth, and convened December 21, still called New Hampshire a "Colony," and while providing a brief form of government substantially like that before existing, omitting the royal

Governor and Council, felt called on to protest and declare, —

"That we never sought to throw off our dependence upon Great Britain, but felt ourselves happy under her protection, while we could enjoy our constitutional rights and privileges; and that we shall rejoice if such a reconciliation between us and our parent State can be effected as shall be approved by the Continental Congress, in whose prudence and wisdom we confide."

This was a sincere statement. Its date was January 5, 1776, and the Committee of Safety, already existing, now became the Council, under this Constitution, or were chosen from it to act during the interval of legislative sessions. The committee which reported the plan included Meshech Weare, Matthew Thornton, Wyseman Claggett, and Ebenezer Thompson, — the first named being the acting Governor and soon Chief Justice of the Colony, and the last named, Secretary. They continued to hold these places until the war ended in 1783, — indeed until June, 1784, when an elaborate Constitution, adopted in October, 1783, and based on John Adams's Massachusetts Constitution of 1780, took effect. But hardly had the new government organized, with an implied agreement to reunite with England under just conditions, when the extreme severity and unwisdom of King George began to turn the thoughts of the people to independence. The first elected Assembly, now styled

the House of Representatives, began to agitate the question early in June, 1776, and on the 11th of that month named Samuel Cutts of Portsmouth, Timothy Walker of Concord, and John Dudley of Raymond a committee "to make a draft of a declaration of this General Assembly for independence of the United Colonies on Great Britain." Four days later, and three weeks before Congress adopted Jefferson's Declaration, this committee reported, and both houses adopted, the first authoritative statement of the purpose to cast off allegiance to Great Britain. After reciting that "the British ministry, arbitrary and vindictive, are determined to reduce by fire and sword our bleeding country to their absolute obedience," and that "foreign mercenaries" and a formidable fleet are on the way "to ravage and plunder the sea-coast," the declaration goes on, —

"Whereas we, of this colony of New Hampshire, have the example of the most respectable of our sister colonies before us for entering upon that most important step of a disunion from Great Britain, and declaring us free and independent of the Crown thereof; and it appearing absolutely necessary, in this most critical juncture of our public affairs, that the honorable the Continental Congress, who have this important object under their immediate consideration, should be also informed of our resolutions thereon, without loss of time;

"We do hereby declare that it is the opinion of this assembly that our delegates at the Continental Congress

should be instructed, and they are hereby instructed, to join with the other colonies in declaring the thirteen United Colonies a free and independent State, — solemnly pledging our faith and honor that we will, on our parts, support the measure with our lives and fortunes; and that, in consequence thereof, they, the Continental Congress, on whose wisdom, fidelity and integrity we rely, may enter into and form such alliances as they may judge conducive to the present safety and future advantage of these American colonies; provided the regulation of our internal police be under the direction of our own Assembly."

The similarity in several respects of the language here used to that afterwards employed by Jefferson and Adams hints, what I suppose to be the fact, that the Adamses had communicated with Weare, Thornton, etc., in regard to independence. At the same time, the word "alliances" points to what was a strong motive with Franklin and Washington, — the desire to use the jealousy of England among the European Powers for the formation of some powerful alliance, like that with France, which, long under consideration, did actually follow the surrender of Burgoyne in 1777. It may then be seen that New Hampshire had a strong influence, first in bringing the more doubting patriots to a belief in Independence, and then in giving France the opportunity (by checking the advance and compelling the surrender of Burgoyne) to do what she wished, and ally herself with us.

The organization of government in New Hampshire, after the departure of Governor Wentworth and the removal from office of his kinsmen in the Council, showed plainly what sort of citizens inhabited the Colony. The magistrates no longer held office, the courts were closed, but all the functions of government went on under the system of town self-government, which had grown up instead of the squirearchy and lieutenancy that the grantees of great estates had vainly sought to introduce from England. More than a hundred towns, representing an average of a thousand people each, came together in the Provincial Congress, at Exeter, — removed by the short interval of a dozen miles from the influence of wealth and royal appointments in the seaport capital. Their first care was to establish post-offices, which the royal government had too much neglected; these were needful to keep the towns in communication with each other and with the suddenly raised army. They next established a Committee of Supply for the army, and the Committee of Safety already mentioned, which directed all affairs of the Colony with more efficiency than the royal Council had usually done. Its seat was at Exeter; its members were country physicians like Thornton and Thompson, country justices and farmers like Weare and Dudley, with an occasional man from the learned professions; its head was in the small town of Hampton Falls, where President Weare, in his unpretending but comfortable home,

overlooking the ocean at Hampton, four miles away, gave audience and dinners to committee-men, commanders, officials from Massachusetts, and foreign travelers. He made his daily trips to Exeter, seven miles westward, on his jogging horse, returning at night to his own farm, or, if detained by business, lodging with the colonial treasurer, Nicholas Gilman, whose farm was larger and his house more spacious, in the township bought by Wheelwright from the Indians. Both Weare and Gilman were descended from ancestors who had helped carry the Colony safely through the troubles with Robert Mason and the Stuarts; they had a hereditary claim on the popularity they enjoyed, and their justice and good faith were known throughout the county which they had served in offices, humble or important, but always neighborly, for a whole generation. They knew the local officers of the towns, had sat with them on juries and in town meetings, worshiped with them in the plain meeting-houses, conducted their funerals, solemnized their marriages, drawn up their land-titles, settled their estates, and in every possible way had come to their notice and merited confidence. Hence the complete understanding that usually existed between the general and the local authority in the extemporized revolutionary government, which was in fact only revolutionary in name. 'Squire Weare and 'Squire Wentworth, Dr. Bartlett, Dr. Thompson, Dr. Thornton, 'Squire Dudley, and 'Squire

Claggett had managed the general business of the towns under the Portsmouth oligarchy, and had sometimes won in contests with them. They naturally took charge when that oligarchy was dispossessed, and its supporters in the country towns either joined the patriot cause, or fled the country, or came under suspicion and were bound over to good behavior, or languished in the ill-appointed wooden jails. As Dr. Belknap says, who saw the whole transformation, and had good friends on both sides: —

"The Provincial Convention directed the general affairs of the war, and town committees had a discretionary but undefined power to preserve domestic peace. Habits of decency, family government, and the good example of influential persons, contributed more to maintain order than any other authority. The value of these secret bonds of society was now more than ever conspicuous."

An English writer of clear observation, commenting on the American constitutions which grew up during the Revolution and soon after, once said that the men of Massachusetts could make any constitution work well. The same was even more persistently true of the men of New Hampshire, who in every emergency rose quietly to the occasion, and sometimes by tumults, sometimes by town meetings or committees, held nominal rulers to their duty, or took the reins calmly into their own hands. Even the disappointed and disaffected

came to the rescue when the general peace was threatened. There was in the little town of Newington on the Pascataqua an old clergyman, Joseph Adams, uncle of John Adams, who was seventy-six years of age when the royal authority collapsed. He was slow to see what would follow, and his son, Benjamin, at first inclined to the side of the mother country. His disaffection was not lessened by the unwillingness of the town to pay his father's salary in silver, as the contract required, and he continued under some suspicion, though holding town offices because of his education. After the war, he desired to be a justice of the peace, and his townsmen objected; this made President Sullivan and the Council hesitate to appoint him. He wrote an angry letter to John Wentworth of Somersworth, his friend and nearest councilor, in which he recounted what share he had in suppressing the insurrection at Exeter a few weeks before, saying, —

"For the President and Council to hear the nonsensical rabble against men of influence is strange and surprising. I stept forward the other day to support Government, and was the second man to Col. Brewster, who stopped the insurgents at the (Exeter) Bridge, till we were properly reinforced by Gen. Cilley and others, — to the hazard of my life and horse against them." [1]

[1] This speedy suppression of the revolt in September, 1786, by the gallantry of Sullivan and Cilley, and the ready response of the organized militia when called to arms, are described on a later page.

If so (and no man contradicted him), this second cousin of President Adams must have mounted at night and ridden ten miles from his farm to Exeter, to support the authorities, who there made quick work of this preliminary to the Shays's insurrection in Massachusetts. And throughout the long war, while disease and death weakened families, and a depreciated currency, added to the confusion of trade and industry which civil commotions create, impoverished most of the inhabitants, no serious trouble arose in the new State. The wheels of civil and ecclesiastical government continued to revolve as of old, and society held together under the simplest and homeliest conditions. The plough and the axe kept at work in farm and forest, the spinning-wheel hummed, and the household shuttle flew, to clothe and feed the absent soldier and the bereaved family; the minister preached and prayed; the schools went on, if for fewer weeks, and the population increased, though at a smaller ratio than before.

New Hampshire maintained three regiments in the army of Washington during the whole contest, and raised many more soldiers for occasional service. These regiments accompanied Washington from the siege of Boston to New York, and were engaged in the unlucky fights of that region in 1776. Some of them went under General Sullivan to Canada, when Arnold was forced to retreat after the death of Montgomery, and had hard fortune

there. Sullivan himself, at the request of Washington, after the capture of the dilatory and finally treacherous Charles Lee, hastened forward a detachment of this northern army in time to take part under Washington in the brilliant surprise of Trenton, December, 1776, where Stark also had his usual share in the fighting and the success. Receiving what he thought shabby treatment from Congress in the matter of promotions, Colonel Stark resigned, and returned home to Starkstown, where his brother William and his nephew had been proscribed as Tories, along with Stark's old commander, Rogers, for their allegiance to the British crown, under which they had taken the military oath. But no thought of renouncing his country's cause arose in John Stark's mind, as in Arnold's three years later, under like provocation. He had just recruited a new regiment, when in March, 1777, he received word that Congress, then full of intrigues against Washington, had "thought proper to promote junior officers over my head," as he said in resigning his command to the New Hampshire government. He added a hope "that you will make choice of some gentleman to succeed, who may honor the cause and his country."

Probably he foresaw what actually happened, that the movement of Burgoyne would call for his services in a separate command, to protect the State against invasion, and keep New England in communication with the army of Washington. At

any rate, in July, 1777, that very emergency arose; and in the legislature at Exeter, John Langdon (the wealthiest merchant remaining in Portsmouth), being Speaker of the House, made the speech, so often quoted, which offered the means of repelling Burgoyne: —

"I have $3000 in hard money; my plate shall be pledged for as much more; my 70 hogsheads of Tobago rum shall be sold for the most they will fetch. These are at the service of the State; if we succeed, I shall be remunerated; if not, they will be of no use to me. We can raise a brigade; our friend Stark, who so nobly sustained the honor of New Hampshire at Bunker Hill, may safely be trusted to command, and we will check Burgoyne."

So said, so done. In one short and active month after that speech, General Stark, at Bennington, had met the detachment of Hessians, fought two battles in one day, captured or slain hundreds of Burgoyne's army, and made the defeat of the rest only a question of time. Next to Washington's stroke at Trenton and Princeton, eight months before, it was the most brilliant and momentous battle of the war. Congress, already regretting its slight to Stark, waited in vain to receive a report of his victory, which he had made at once to the legislatures of New Hampshire and Massachusetts, accompanied with the musket, drum, and Hessian cap, as trophies of the fight, which still hang in the Boston State House. Writing to Stark to

inquire why he had not written, the committee of Congress were told "that General Stark supposed his correspondence with that body closed, since his last letter had never been answered." The hint was taken, Stark was made a brigadier in the regular army, and continued in the service till the war ended.

In the battles which preceded and followed Stark's exploit at Bennington, the New Hampshire troops under Schuyler and Gates distinguished themselves, and Colonel Cilley of Nottingham, in particular, fought at Saratoga with as much courage as Arnold, and with more coolness. The soldiers of Cilley's regiment wintered at Valley Forge in that severe season of 1777–78, and under Major Gilman of Plaistow went through the hard-fought battle of Monmouth, and received Washington's special praise for their gallantry. What were the perils other than battle in this war can be learned as well from Major Gilman's statement in 1782 as from any other source. In November of that year this veteran, now a lieutenant-colonel, told the story of his hardships in a petition to the Exeter legislature. He had first been a captain in Nixon's Massachusetts regiment in 1775, the next year was made a captain in the first New Hampshire regiment (Cilley's), and in April, 1777, became its major. He says: —

"After the 5th of July following, being the time of the unhappy retreat from Ticonderoga, the extreme rain

which fell, the forced marches, want of proper covering and of the necessary sustenance, so far injured his health that it was with great difficulty that he ever arrived at Saratoga. Which was productive of such complicated bodily disorders as by their long continuance since have wellnigh ruined his constitution. At Saratoga he consulted a physician who advised that he should be sent out of camp. Whereupon Gen. Poor and Col. Cilley sent him down to Albany; which journey, though not more than half a day's ride, your memorialist, with great fatigue and industry, was four days in performing. As soon as he reached Albany he was exercised with a severe fever, which obliged him to lie bed-rid for several weeks. The 20th of September, 1777, he had the additional honor of being appointed Lt. Colonel of Col. Cilley's regiment; but just as he was beginning to recover a little, the fever-ague made a most violent assault on the feeble and shattered body of your memorialist; which continued its outrages with very little remission till after the army had marched to the southward; notwithstanding the skill and attention of Dr. Treat, one of the Physicians-general, who attended the memorialist and fed him with Peruvian Bark by wholesale.[1] He fre-

[1] Dr. Matthew Thornton, a physician himself, being inoculated for the smallpox at Philadelphia in November, 1776, a year and a half before Major Gilman, gave a humorous account of it in a letter to President Weare. "We had the honor to be attended by Dr. Cash, Dr. Surly, Dr. Critical Observer, Dr. Gay and Dr. Experience. Between the hours of 10 and 11 A. M. came Dr. Cash. 'How is 't, Sir and Mad'm?'—and whatever our complaints were, his answer was 'All 's pretty,' and vanished in a second. He was the operator, and for a few days visited as above; and we saw no more of him till I paid his bill of $18. Dr. Surly came two or three times each day, as a friend, viewed us through his

quently advised him to endeavor to ride homeward, in hopes the change of air might assist in throwing off the fever-ague; notwithstanding which, such was his attention to his duty and attachment to the army, that he set off in pursuit of the army, as soon as, by the additional aid of the cold weather, his disorders were so far mitigated that he was able to ride, though but a small distance in a day. He joined the regiment and proceeded to Valley Forge, where it was cantoned for the winter. Col. Cilley and Lt. Col. Reid returning home, your memorialist had the honor of commanding the regiment that winter, to the entire satisfaction of that part of the army. In the spring of 1778 he was obliged by general orders to take the smallpox, which was followed by the fever-ague, and which had like to have proved fatal. However, after considerable time he so far recovered his health that, when the enemy left Philadelphia, he was able to pursue them with the regiment. Col. Cilley being detached with Gen. Lee, your memorialist

glasses, and then, with a smiling grin, softly said, 'What! no worse yet? this is but trifling to what you will feel before all is over.' Dr. Critical Observer, a young doctor, that told me he would 'critically observe every stage of the smallpox' in us, to gain experience, came once in two or three days, and stayed about a minute each time. Dr. Gay, a young doctor, that came as a friend, two or three times every day, tripped round and sung a tune; and told us 'all would end well.' Dr. Experience, a merchant who has had the smallpox, visited us every day, and gave a much truer account of the disease than all the doctors."

This letter is dated at Baltimore, whither Congress had removed upon news of General Howe's march on Philadelphia, and was written January 23, 1777, in Thornton's usual jocose manner. He was born in Ireland, and had the temper of his countrymen; in religion a heretic.

had the honor to command the regiment in the battle of Monmouth, and the further honor of sharing, with others, the favorable opinion his Excellency the Commander-in-chief was pleased to express of the officers and soldiers on that occasion. The army moved to White Plains, and thence to Hartford, where he was taken down with a putrid fever, and lay despaired of by his physician for more than three months. In this situation he applied to a private physician, which with other incidental charges cost him some hundreds of dollars; for which he never received a farthing. In December, 1778, Gen. Poor and Col. Cilley gave him leave to return home whenever he thought himself able; who with difficulty, after many days, with great expense, arrived home, having been absent almost two years. . . . Continuing in so ill a state of health, he despaired of ever being able to serve his country again, and it was painful to him to stand in the way of a better man, that could render actual service. He continued to solicit a discharge, and at length obtained one from Gen. Washington, bearing date March 24, 1780, — the tenor of which cannot operate to the dishonor of your memorialist."

At the treason of Arnold in the summer of 1780, Washington had another opportunity to express his confidence in the soldiers from New Hampshire, who had never failed him in battle or in camp. Captain Webster, of the New Hampshire contingent, with his complexion so dark, as his commander at Bennington said, that burnt gunpowder could not change it, and his heart "borrowed from a lion," his son Daniel said, — this descendant of

the aged founder of Hampton was on guard the night after Arnold's flight from West Point. As Washington, his noble mind full of doubt and anxiety, not knowing who might fail him next, saw the swarthy farmer from the banks of the Merrimac at his post, his face lighted up, runs the legend, and he said, "Ah, Captain, I know I can trust you, and your men from New Hampshire."

Of the five more distinguished New Hampshire officers, — Stark, Sullivan, Cilley, Poor, and Scammell, — the last two died in the service, Poor in New Jersey in 1779, and Scammell in the final victory at Yorktown. The last named was the only college graduate among the high officers, and a man of culture and great promise, only a dozen years out of college when he was killed in battle. In New Hampshire the men of education who were not clergymen were generally either neutral or on the Tory side. Weare was an exception, and there were a few others. In Virginia it was quite otherwise, and even in Connecticut; in Massachusetts the college graduates, other than clergymen, were about equally divided between the two parties. Joshua Atherton, a Harvard graduate who settled in New Hampshire from Massachusetts, was at first a Tory, and so was Rev. Asa Dunbar, the maternal grandfather of Henry Thoreau, and his brothers-in-law, the sons of Colonel Jones of Weston. Dunbar gave up the pulpit, became a lawyer, and practiced in Keene; his brother-in-law,

Daniel Jones, a classmate of Scammell and Chief Justice Parsons at Harvard, had the same political experience. The cause of the Revolution in New Hampshire was upheld chiefly by the plain people, and those who had made their own way in the world, without much aid from inherited property or special culture.

As the French alliance inclined the balance of the war in Washington's favor, the New Hampshire patriots had another and more domestic difficulty to encounter. The "New Hampshire Grants," as they were commonly termed (what is now Vermont), were generally faithful to the patriot side, though Stark was opposed by many Vermont Tories, in his campaign against Burgoyne. But the people west of the Connecticut River wished to be independent both of New York and New Hampshire, as ultimately they became; and in the years from 1778 to 1782 they found friends on the east of the boundary river who sought to unite with them, and take from New Hampshire a large strip of her territory, which the royal decisions in 1741 and 1764 had assigned to the Province of the Wentworths. That powerful family had lost its preëminence, but the new State did not mean to renounce what had been properly granted. President Weare and his council therefore made a claim to all Vermont, as against New York, and to all east of the Connecticut, as against the revolted towns in the valley.

As the controversy grew warm, double taxes were laid by the two legislatures claiming control, and some arrests were made. The prospect of armed resistance from Vermont, or even of an alliance between its people and the British in Canada, caused Washington, Weare, and the patriots generally much anxiety. Dr. Thornton, writing to Weare in late December, 1781, and lamenting the death of Scammell,[1] was even more sorrowful for the threatened contest in Vermont. He said: —

"The Vermont affair grieves me more than our war with Great Britain. How much ought Christians to shudder at the very thought of brother killing brother about a line of jurisdiction! For mercy's sake, Sir, if possible, prevent every hostile measure until the Continental Congress explicitly fixes the bounds, and informs New Hampshire how to conduct. From the best information, a very great majority, on both sides the river, will acquiesce in the determination of Congress. If so, and we wait, all will be peace. . . . Pray, Sir, excuse this trouble. It does not come to dictate, but to ease my mind, anxious for the peace and happiness of mankind."

Notwithstanding this appeal, Weare, Sullivan, and the New Hampshire authorities in general

[1] Dr. Thornton, who seems to have turned a verse now and then, inclosed in this letter to the head of his State some lines in the customary measure of Pope and Johnson, for commemoration of Colonel Scammell, among which were these: —

"Such spotless honor, such ingenuous truth,
Such ripened wisdom in the bloom of youth,
So mild, so gentle, so composed a mind,
To such heroic warmth and courage joined," etc.

went forward with their plan for putting down by force turbulence in the Connecticut valley towns, and it was voted to send a thousand men under Sullivan, to support the majesty of the law. As usual, the influence of Washington was called in, and a temperate and reasonable letter from him to Governor Chittenden, of the unrecognized State of Vermont, led to the acceptance, by Vermont, of the compromise adopted in Congress, — the eastern towns to be restored to the jurisdiction of New Hampshire, and the claim of the Vermonters to the rest of the grants to be recognized, as against the conflicting claims of New York and New Hampshire. Vermont yielded to this compromise February 23, 1782, and the revolted towns (which were said to have acted under some instigation from the new college of Dartmouth, at Hanover) gradually returned to their duty. Nine years after, Vermont was admitted to the Union as a State, in February, 1791. Stark, who had no less prudence in civil affairs than skill in war, wrote to Governor Chittenden congratulating him on the "happy determination of Congress." He said: —

"In my opinion nothing can wound a generous mind more than the mortifying thought of making a large country miserable; and the people of Vermont, by their utter detestation of the management of New York, must have been wretched under their government. To have been connected with New Hampshire . . . would have been very inconvenient and expensive for both bodies of

people, and no real good resulting from such a connection; therefore every man who consulted the public interest must be an advocate for a separation. For had they been connected, there would ever have been a jealousy between the two States, infallibly dangerous to both; but that jealousy, by the separation, must entirely subside, and New Hampshire and Vermont live in perfect friendship as sister States."

As the man who had saved Vermont from subjugation, his opinion should have had weight with the people there, and doubtless it did. Nor is it apparent that Weare, who had much of the calm decision of Stark, ever desired more than to prevent the dismemberment of his own State; for he and Sullivan, then in Congress, yielded at once to the compromise that Washington suggested. Sullivan, with his mercurial temperament and turn for accepting the first propositions that came up, commonly needed the restraining judgment of Weare, of Washington, or of some cooler head; but his acute perceptions often inspired the correct policy finally adopted. A signal instance of this was his pointing out to Washington in 1780 that the best man to be finance minister of the Confederacy, to which post Robert Morris was soon appointed, would be young Alexander Hamilton. For the emergency, then, Morris was the best man; but Sullivan had rightly divined the genius of Hamilton, who took up the burden after it proved too heavy for even the hopeful and accomplished merchant.

New Hampshire was pecuniarily unable to respond to the demands of the Confederacy in matters of taxation; her quota of money was hopelessly in arrears when Morris came to the Treasury. But so ready and serviceable was her quota of men, and so indispensable her service in the Burgoyne campaign, that this delinquency in taxes was overlooked. Her officers and soldiers came out of the war poor, and the Society of the Cincinnati, headed by Sullivan, had but few contributing members in the impoverished State. Stark was averse to any perpetuation by heredity of the distinction between officers and men, and Washington finally withdrew from its presidency for something like the same reason. A New Hampshire branch of the Cincinnati still exists, with an honorable record, and so do two other hereditary organizations, perpetuating the memory of the share which the little State had in the world-renowned Revolution.

Great was the loss in life, in trade, in social morality, and general civilization among the people of New Hampshire during the war. In 1780 the authorities of Portsmouth reported that, of 12,000 tons of shipping owned at that port before 1775, only 500 tons remained; while all the expenses of government, especially those for the care of the public poor, had much increased. Privateering and the supply of the American army had done something to offset this loss of trade; but the people generally were poor, and taxation pressed hard

upon all classes; while the long surfeit of fiat money had accustomed the unthinking, particularly those who had engaged in speculation, to the delusion that paper money, with laws against the speedy collection of debts, would relieve their embarrassments. In New Hampshire, then, as afterwards in Massachusetts, the poor were encouraged by some former leaders to take up arms in support of the demand for stay-laws and unsound financial measures. Although the New Hampshire Constitution of 1783 had given general satisfaction, and there was no such uneasiness about the framework of government as in Pennsylvania and some other States, the movement against lawyers, courts, and money-lenders, in the older counties of Rockingham and Strafford, became threatening in the summer of 1786, — headed, it is alleged, by General Nathaniel Peabody of Atkinson, who had been in Congress, and by General Moulton of Hampton, — men claiming to be wealthy, but now heavily burdened with debt. Finally, on the 19th of September, a body of armed men, headed by officers in the Revolution, came marching down from Londonderry, Pembroke, and other towns north of Exeter, to present petitions, backed by force, in favor of issuing paper money in amount equal to the large state debt, and of making this paper a legal tender, with other measures of the sort. They reached Exeter towards evening on the 20th, surrounded the large church where the legislature was in ses-

sion, and sought to overawe the members and the president, who happened to be General Sullivan. Whatever his defects, Sullivan was not to be frightened or coerced; he parleyed with the insurgents, but only long enough to place himself at liberty, and summon his forces. That night, under special authority from the two Houses, he issued orders for all the militia officers accessible to report at Exeter the next morning, with their commands under arms. The orders were carried over the county by night, and the next morning there had rallied at Exeter a force between fifteen hundred and two thousand in number, well armed, and commanded by the officers who had led them to battle against England. Major-General Cilley, from the hills of Nottingham, took command under President Sullivan, and a considerable number of volunteers, under Nicholas Gilman, put themselves at Cilley's orders, among them William Plumer of Epping and the irascible Benjamin Adams of Newington. By noon on the 21st, the insurgents were driven off, their leaders captured without bloodshed, and the revolt was at an end. It required a campaign of months in Massachusetts to do what Sullivan, Cilley, the Gilmans, and Plumer, afterward senator in Congress and Governor, accomplished in twenty-four hours.

Two years later, when the Federal Constitution of 1787 was offered for ratification in New Hampshire, a longer effort was necessary to establish a

good national government with the consent of the little State. It was done by the same men who had come to the support of Sullivan in 1786, aided by many others, then too far from the seat of government to take part in the Exeter affair. As in other States, there was in New Hampshire a feeling that the new Constitution placed too much power in the central government. That view, indeed, was taken by John Quincy Adams, then a law student at Newburyport, who drove across the country ten miles to Exeter, to hear the debates in the ratifying convention. But the better opinion of the Langdons (John, Woodbury, and Samuel), of Sullivan, the Gilmans, Plumer, etc., prevailed, after an adjournment of some weeks to allow the delegates to consult their constituents. The final and conclusive speech seems to have been made by Captain Webster of Salisbury, — the same who had stood guard for Washington at West Point. It was brief, and this was its main argument: "I have followed the lead of General Washington through seven years of war; he never misled us. His name is subscribed to this Constitution. He will not mislead us now. I shall vote for its adoption." It was ratified by New Hampshire in June, 1788, and its wise provisions, enforced by the statesmanship of Washington, soon changed the condition of New Hampshire into one of prosperity, and commanded the full support of its citizens, whatever their doubts may have been.

CHAPTER X

SOCIAL AND POLITICAL DEVELOPMENT IN THE NINETEENTH CENTURY

LIKE the rest of the new nation, New Hampshire, after the formation of a more perfect union under Washington and the Constitution of 1787, went on increasing its inhabitants and their material prosperity by leaps and bounds. In the ten years (1790–1800) the little agricultural State gained in population nearly thirty per cent., and at the opening of the nineteenth century had about 184,000 people. In the next decade the gain was little more than half as fast, yet enough to double its population in sixty years. But in spite of the introduction of manufactures, chiefly textile, this rate was not kept up, and it was not until 1887 that the population of 1800 had really doubled. At the end of the century it was 412,000, and of late has been gaining at the rate of nine per cent. in ten years. During the Civil War there was an actual decrease of inhabitants, from 326,073 in 1860 to 318,300 in 1870. But the prevailing check to a gain so large as from 1790 to 1810 was the constant stream of emigration flowing from New Hampshire

to the new lands of New York, Ohio, and farther west, and from the rural towns to the cities of southern New England. As those new lands became settled for cultivation, and gained the means of sending their products eastward, the good markets of the New Hampshire farmers and foresters were gradually lost, in the greater cheapness of western production; and the near local markets could not take enough of the products of gardening and dairies to make farming in general a profitable industry. The introduction of cotton and woolen mills for a time favored the farmers by giving them a home market; but of late even manufactures have been deserting many of the mill-streams of the hill-region, to concentrate in cities near the seaboard. A new industry of much importance has sprung up within fifty years, and is now very important, — that of caring for thousands of visitors who frequent the mountain and seashore resorts for a few months in the warm season. Coincident with these changes there has been a concentration of industrial employment in manufacturing cities like Manchester and Nashua, accompanied by a large immigration of Irish, English, Canadian French, and other foreign operatives, who now swell the census by many thousands.

Amid all these changes the educational, political, and social development of the people went forward with the early increase of inhabitants, and was not checked materially as the population became more

nearly stationary. Two early and useful educational foundations distinguished the Revolutionary period, — Dartmouth College, founded under John Wentworth's government, just before the outbreak, and the Phillips Exeter Academy, opened at the new state capital before the war had fairly closed. Until then the higher education of New Hampshire boys was carried on in minister's families, or at Harvard College, although the common schools did sometimes give instruction in Greek, Latin, and French. The location of Dartmouth in the town of Hanover made it accessible to the youth of two or three States, who were attracted by the cheapness of living and the reputation for scholarship which the college soon acquired; while the Exeter Academy, under a noteworthy instructor, Dr. Benjamin Abbot, early drew classical students from all New England and the more distant States. Washington testified his regard for New Hampshire, whose soldiers he had learned to value in the long war, by sending two of his nephews to be educated by Dr. Abbot; the rich merchants and professional men of Maine and Massachusetts followed the example, and sent their sons to Exeter. A school so successful stimulated other towns, and before 1840 there were many "academies" in all parts of New Hampshire, which supplied the place of public high schools, not yet established. These, with the general excellence of the short but energetic summer and winter common schools, raised the standard of general intel-

ligence in the State, and fitted the youth, as they came forward, to take an active share in political government, for which the universal "town meeting" was itself a school of practice, as the courts of local and county justices were schools of every-day law.

New Hampshire was fortunate in its charter of constitutional government, and has never grown too populous to derive the best advantage from it. So well satisfied were the people, during the whole Revolution, with the simple forms of government adopted in 1775, and with the men who administered them, that they successively rejected three elaborate Constitutions offered them in 1778, 1779, and 1781, and finally adopted in 1783 a form largely based on John Adams's draft for Massachusetts, but with certain changes in favor of more religious liberty than the Massachusetts Puritans were yet ready to allow. After providing for public worship at the expense of towns, parishes, and religious corporations, the Constitution of 1783 went on: —

"Provided, notwithstanding, that the several towns, parishes, bodies corporate or religious societies shall at all times have the exclusive right of electing their own public teachers, and of contracting with them for their support and maintenance. And no person of any one particular religious sect or denomination shall ever be compelled to pay towards the support of the teachers of another persuasion, sect or denomination. And every denomination of Christians demeaning themselves quietly,

and as good subjects of the State, shall be equally under the protection of the law; and no subordination of any one sect or denomination to another shall ever be established by law."

This Constitution in substance was continued in 1792, the title of president being changed to governor; remained without alteration for sixty years, till 1852, and has been but slightly changed (chiefly in respect to representation of towns in the legislature, and the number of senators and representatives), in the hundred and twenty years since its first adoption. Indeed, the number of councilors to advise the governor, originally fixed at five, when there were but five counties, remains the same now, when there are ten counties. The Senate, originally numbering twelve, or one for every 10,000 people, is now twenty-four, or one for every 35,000. But the growth of the House of Representatives, under the first provisions, has been so great as to make the surplus cumbersome, and it has been twice reduced. Each House has a veto on the other, and the Council has a veto on appointments by the governor, as in Massachusetts. Practically no harm has resulted from these vetoes; indeed, the executive and legislative branches have virtually been in accord, with annual or biennial elections, nine tenths of the time. No revolution or threat of revolution has occurred since the refractory towns east of the Connecticut submitted to the mild wisdom of Weare and the counsels of Sullivan and Stark, for

the rising of 1786 aimed only at the enactment of a few special laws. During this century and a quarter, France has set up and overthrown a dozen constitutions, and England has modified its imperishable constitution three or four times. In fact, the New Hampshire people have shown a steadiness of political temper which quite verifies their British origin. During their Revolution, though a few Tories were imprisoned and a few estates confiscated, no man was put to death for treason.

The growth of aristocratic feeling, so noticeable at Portsmouth in the middle of the eighteenth century, was checked by the Revolution, and did not revive in New Hampshire for many years, although the party called Federal cherished opinions distinctly oligarchical, which seem to have been shared by a few of the leading Federalists in different parts of New Hampshire, particularly in Exeter. The power once centred at Portsmouth in a few families was transferred to Exeter with the Revolutionary government, and a circle of political magnates, among whom members of the Gilman family were prominent, at times controlled the later politics of the State. But the questions at issue for a few years after the death of President Weare in 1785 were chiefly personal or local; and it was not until the treaty with England made by Washington (Jay's treaty) that party lines began to be drawn between the Republicans, under John Langdon and General Stark, with other Revolutionary patriots,

and the Federalists, led by the Gilmans and Jeremiah Smith of Exeter, with whom were associated William Plumer of Epping, Charles Atherton of Amherst, and a few lawyers in the Connecticut valley. General Sullivan and Dr. Bartlett, the immediate successors of Weare, with the title of president, could hardly be ranked in either party; nor could Washington until after their death. In the contention between Jefferson and Hamilton, in Washington's cabinet, Langdon, then in the national Senate, sided with Jefferson, and his colleagues, Samuel Livermore and Paine Wingate, with Hamilton. For eleven years, from 1794 to 1805, John Taylor Gilman of Exeter, a large landholder and popular gentleman, was chosen governor annually, but from 1802 with decreasing majorities over Langdon, who, in 1805, aided by the secession of John Quincy Adams and William Plumer from the Federalists (whom they called disunionists), defeated Gilman by a vote of 16,000 to 12,287, and for four years ruled as governor. In 1809 Judge Smith defeated Langdon by a few hundred votes, but was himself defeated by Langdon the next two years, and Langdon was succeeded by his recent party associate, Plumer, in 1812. But the war with England, which injured the growing trade of New Hampshire, already much damaged by Jefferson's Embargo, threw the State again into the hands of the Federalists, and Gilman was reëlected in the three years 1813–15.

Plumer defeated Sheafe in 1816, and was governor for the next three years, when party strife had much abated under the fortunate administration of President Monroe. No governor since Benning Wentworth had so many years of administration as Gilman, who was elected fourteen years, and only twice defeated. This success he owed not so much to his party, which was usually beaten with any other candidate, as to his own geniality, public services, and ornamental qualities; for the New Hampshire voters (other things being equal) commonly preferred the handsomer of two candidates. On this ground John Langdon had equal claims with Gilman, till age had tarnished a little the lustre of his good looks. It was during this Federal ascendancy in the State that the shining abilities of Daniel Webster brought him forward; he was chosen to Congress in 1813 from the Rockingham district, and served the four years, 1813–17. His manly eloquence was first exhibited at Washington in opposing the administration of Madison and the war with England; his antagonists being Calhoun and Clay, with whom for more than thirty years afterward he was either in conjunction or opposition, — seldom carrying his measures, but always superior in oratory.

Meantime, whether in peace or war, New Hampshire continued to flourish, under governors who were always sensible and patriotic, and often accomplished statesmen, like Langdon, Plumer,

Samuel Bell, and Woodbury. In 1823, when Woodbury, who had been an excellent judge, and was soon to be senator in Congress, served his one year as governor, he presented the striking facts of his State's prosperity in an address to the legislature, then composed of 12 senators and 201 assemblymen.[1] He declared that New Hampshire, with less than 250,000 people, raised in 1822 a school-tax of $90,000 for the support of free schools, in which, he said, "the affluent of both sexes acquire the elements of knowledge, and nearly all the poor and middling classes begin and complete their education." He computed the exports for 1822 from the only seaport, Portsmouth, at $140,000, and the whole farm and forest product exported at very near $1,000,000. Thirty years before, he said, the exports were less than a quarter part as much. The ten state banks had a capital of more than $1,000,000, and at the session of 1822, manufacturing companies had been chartered with a nominal capital of $5,000,000. This indicated that manufactures were thought to be more profitable than agriculture or commerce; and they continued to develop steadily for half a century after this. But in the decade 1840–50, railroad building and man-

[1] In 1784 there were but 90 members of this lower House; in 1800, 140; in 1810, 173; the increase being wholly due to a gain in population even larger. The 633 slaves who figured among the 52,000 inhabitants of 1767, and of whom 158 remained in 1790, were now all freemen, if alive. They had petitioned for freedom in 1777.

agement was an interest of importance, and has now become perhaps the greatest single interest affecting legislation and the convenience of the people. The year 1822, selected as about midway between the close of the impoverishing Revolutionary War and the opening of the great Civil War, showed a valuation of real and personal property for taxation of only $50,000,000 for a population of 250,000, or $200 *per capita*. The valuation for a like purpose of taxation in 1902, seventy years later, was $213,000,000, or $507 *per capita* for an estimated number of 420,000 people. But the taxes, which in 1822 were but about $250,000, or $1 for each inhabitant, had by 1902 become $4,212,000, or $10 for each inhabitant, in addition to the national taxes, which fell on New Hampshire at the rate of at least $6 for each inhabitant. The ability to pay these taxes, and yet to increase steadily in aggregate wealth, makes it needless to say that the State is still prosperous, though not one of those where enormous fortunes are accumulated through tariff laws or the evasion of public burdens.

The period just reviewed, from 1790 to 1823, was that in which the older national parties in politics contended (at first mildly, and then hotly) for the control of the State. On the whole, the advantage was with the Federalists, who also were, on the whole, the representatives of the wealth and culture of New Hampshire. But the ardent pa-

triotism of the people, which was apt to show itself in animosity against England (for which country the Federalists were generally apologizing or enthusiastic), gradually brought New Hampshire over to the Republican side, — termed "Democratic" in disparagement, by its opponents. The war with England in 1812 contributed largely to this political change, especially after the barbarous attack on the national Capital in 1814, and the crushing defeat of Wellington's tried veterans by Jackson and his western riflemen at New Orleans. The Hartford Convention of 1814–15, which really aimed at a separate confederacy at the North, if the domination of Virginia, Carolina, and Kentucky in the existing Union could not be thrown off, got no state sanction from New Hampshire, so close had become the contest of parties there. And when Jackson's victory gave a lustre to the Treaty of Ghent which its unfruitful conditions hardly deserved, the defeat of the Federalists was assured. Governor Plumer, the close friend for years of John Quincy Adams, who had furnished him in 1805 with conclusive evidence of the disunion designs of many leading New England Federalists (scarcely held in check by the wiser Hamilton), was elected governor in 1816 over the popular Gilman's successor, Sheafe, a rich Portsmouth merchant; and New Hampshire gave her presidential vote for Monroe of Virginia, by nearly two thousand majority over Rufus King, the Federalist. In

the next election Monroe, who had made Adams his Secretary of State, received nearly nine tenths of the small vote; but Plumer, then an elector, cast his ballot for Adams as President and Richard Rush Vice-President. Samuel Bell, who succeeded Plumer as Governor in 1819, and was of the same party, was twice reëlected almost unanimously. Woodbury, who succeeded him in 1823, was also a Republican, and, though defeated the next year by a popular clergyman, on an issue partly religious, was chosen senator the year he was defeated as Governor, and became a supporter of Andrew Jackson while in Congress.

William Plumer, as Governor, distinguished his administration by an effort to reorganize Dartmouth College as a State University, after the model of Jefferson's University of Virginia. This effort originated in a quarrel among the Federalist trustees of the little college, who disagreed with John Wheelock, son of the nominal founder, and eventually removed him from the presidency, in a fit of anger. Against this the sagacious Mason (New Hampshire's ablest lawyer, among many of high rank) advised in vain. Plumer as Governor took up the cause of Wheelock, who, like Plumer, had left the Federalists for the Republicans, and submitted to the legislature in June, 1817, a wise plan for changing a narrow sectarian seminary into a broad university. His measure was adopted, and only resisted in the courts, at first

of New Hampshire, and finally of the United States, where Marshall, early in 1819, gave his famous, but of late very troublesome, decision against Plumer.

The Dartmouth College decision may be considered as good or bad law, or as good or bad public policy; and it is not so customary now to call it good policy as it was at the time it became good law, by the decision of Marshall and Story. But whether good or bad policy for the country at large, it seems to have delayed for half a century that cordial interest of the State in the affairs of its sole college, which it was the intention of Plumer and his friends to promote. It became a subject of warm political debate, and was one of the many causes which held New Hampshire for years firmly in the political party hostile to Marshall and Story. The decision of Marshall was opposed to a careful decision of the highest state court; it was procured by lawyers prominent in the Federal party, so long as that party existed; and it seemed to favor the clauses of a royal English grant, rather than the deliberately expressed will of the people in a State which had renounced the sovereignty of the king who made the grant. The fact that Plumer's intimate friend, J. Q. Adams, was the President who succeeded Monroe, held the State to his support for a few years; and even in 1828, when he was defeated by Jackson, New Hampshire gave Adams a fair majority, and elected his supporter, John

Bell, Governor for a single year, over the Revolutionary veteran, Benjamin Pierce, then Governor, who supported Jackson. But in 1829 Pierce was again elected, and from that time until 1855, with a single exception, the Governors chosen were of the Jacksonian Democratic party; and New Hampshire was in the North the firmest pillar of support for that party. Even in the year 1840, when, under pressure of financial evils, for which President Van Buren was unjustly held responsible, he was defeated by a great majority, New Hampshire held fast, and gave the rejected statesman more than 6000 plurality, in a total vote of 61,000. One reason for this doubtless was that Daniel Webster, who had been identified with the Federalists in the War of 1812, and the Dartmouth College case, and with the denouncers of Jackson in his contest against the United States Bank, had become a leading opponent of the New Hampshire Democrats, and was regarded by them as unfaithful to the State which gave him birth. He became a citizen of Massachusetts in June, 1816, and the politics of the two States soon grew sharply antagonistic.

Another cause which threw the party of Webster and Mason into disfavor in New Hampshire was the claim of the "standing order" of Puritan Congregationalists to special favor from the towns and the State, as against the rising force of the newer sects of Baptists, Methodists, Universalists, and *Christian* Baptists, — a sect which originated

in eastern New Hampshire. The Congregational clergy, educated either at Harvard, Dartmouth, or Yale, were generally Federalists. The leaders of the sects, therefore, naturally joined the Democrats, and in 1819, under a Democratic Governor, Samuel Bell, secured the passage of the so-called "Toleration Act," which exempted them from local taxation for a church which they had renounced. As usual, the animosity engendered in this religious dispute continued, and strengthened the Democratic party, whose representatives were quite often ministers of one or another sect. The growth of banks, too, and the political alliance between the banking class and the opponents of Jackson, contributed to aid the Democrats, and to make the name of Webster odious in the State that is now so proud of him.

It has been usual to ascribe the rather narrow partisanship of New Hampshire, in this period of Jacksonian supremacy, to the contrivances and industry of Isaac Hill, who for more than ten years was practically the dictator of Democratic politics in the State. He was, no doubt, a thorough organizer of his party associates, and took advantage of his widely circulated newspaper, the "Patriot," published at the state capital, to hold the party to his plans, as Thurlow Weed did in New York politics, and Horace Greeley afterwards, in the politics of the whole North. All these men, and other political leaders who could be named (as Russell of the Boston "Centinel" and Buckingham of

the Boston "Courier"), were practical printers, who rose from the "case" to the editor's chair, and had something of the fortune and the sagacity of Franklin, the first in America to set this example. Hill, however, was not New Hampshire born, but came into the State from Massachusetts, and brought with him a talent, such as it was, for political intrigue. But he had with him men of marked ability and thorough education, like Levi Woodbury, whom he succeeded in the Senate at Washington, Franklin Pierce, afterward President, Henry Hubbard, and Moses Norris.

Of these men Woodbury was the most distinguished, and exhibited a capacity for varied administrative and judicial tasks which was remarkable. Like Webster and Chief Justice Chase, who was born in New Hampshire, he graduated at Dartmouth, before twenty; at twenty-seven he was a judge of the highest state court, where he gave decisions marked by learning and sound sense; at thirty-four he was Governor, and at thirty-six senator in Congress. There he attracted the notice of President Jackson, and became his Secretary of the Navy, and afterwards of the Treasury, serving seven years in the cabinet, and upon the defeat of Van Buren returning to the Senate, whence in 1845 he was taken by President Polk to fill the place of Story on the supreme bench. But for his death in 1851, at the age of sixty-two, he would probably have been nominated by his party for President in

1852, and elected. His younger friend, Pierce, was then made the candidate, and became President in 1853. Among men of this stamp Isaac Hill made no mean figure, and his newspaper, apart from its harsh political tone, was an instructive, civilizing force in rural New Hampshire. It was even less violent than the Federalists had been, when they were strong in the State. He succeeded Woodbury in the Senate, then was Governor for three years, and spent a part of his later years in editing an agricultural weekly. On the whole, though much inferior to Webster, who despised him, while praising Woodbury as a judge, Hill was probably more useful to his State than Webster ever was.

Under the control of the New Hampshire Democracy, the financial, educational, and social interests of the people were well cared for, and public virtue and economy were conspicuous, notwithstanding the bitter political controversies. The $90,000 raised by taxation for schools in 1823 had increased in 1857, a generation later, to $234,000, more than twice as much, although the population in the interval had only gained thirty per cent. The ten state banks of 1822 had grown to 52 in 1857, and their capital had quadrupled; while the manufacturing interest had invested $20,000,000, and employed 30,000 operatives, and the 640 miles of steam railroad had cost another $20,000,000. Yet the farming interest was still the greatest, and showed an investment of $60,000,000 in farms and

farm implements, occupying two and a quarter million acres of improved land, and more than a million of unimproved. New Hampshire had then no funded debt, and her state expenses were but $200,000 yearly.

The Civil War soon coming on, after this exhibit of Republican frugality and prosperity, enormously increased the public burdens. The soldiers of New Hampshire, as in the Revolution, fought in every campaign, and in all parts of the greatly extended nation. It was a vessel named for one of the New Hampshire mountains (Kearsarge) which destroyed the noted Confederate cruiser Alabama, and she had for second officer Thornton, a New Hampshire lieutenant, — a descendant of Matthew Thornton of the Revolution. The state debt and the debts of the two hundred and thirty-five towns and cities vastly multiplied, taxation was trebled, and the farms diminished in value from the competition of prairie farms with the stony acres of the Granite State. The population also fell off, but the courage and industry of those who remained carried the State through the ten years of reduced prosperity.

Looking at the whole civil and military history of the State, two observations occur to be made. The unusual steadiness of popular government, noisy and vituperative in the excitement of annual elections, but moderate and free from factions in administration, is more marked in the case of New

Hampshire than in any of the older States except Vermont. Secondly, the high range of military and judicial talent, and the great number of truly distinguished persons who have been born or dwelt in the little State, have made it proverbial for the past century and a quarter. Of these facts the explanation is to be found, probably, in the simplicity of life and the hardy self-reliance and neighborly coöperation of the people, who have brought a sterile and mountainous land to such a degree of excellent human productiveness as the last hundred years indicate. Necessity, not superfluity, has been the companion of the inhabitants ; they have been trained to labor and to wait, to expect no grand prizes, but to do their duty wherever it finds them. The distinctions of rank and fortune are natural ones, and excite neither envy nor contempt ; the great middle class, who in all modern States are the balance-wheel of the political machine, have been in New Hampshire also the driving-wheel, and have kept it in steady movement, while guarding against explosions and misdirection.

CHAPTER XI

THE GREAT AND LITTLE MEN OF NEW HAMPSHIRE

In the stress of the anti-slavery agitation in New England, when New Hampshire was not playing the most honorable part, and her prominent Democrats were active in defense of Southern slavery, to which both of the old parties were practically committed, from a mistaken view of their constitutional duty, Emerson said in a poem of 1847 : —

> "The God who made New Hampshire
> Taunted the lofty land
> With little men ; —
> Small bat and wren
> House in the oak."

Yet in that very year there took his seat in the national Senate from New Hampshire the first senator distinctly chosen to represent the opinion against slavery which was finally to triumph in the nation, — John Parker Hale. He was neither a great nor a little man, but one of the many able leaders of the people who have carried along the affairs of the State with distinction and success, according to the nature of the exigency as it arose, and whatever it might be. The line began in early

colonial days, and was represented for more than half a century by stalwart Englishmen who had chosen to live here in a new country, and who had plenty of the English virtues of valor, persistency, patience, and leadership. Such were Wheelwright and Bachiler, Waldron and Wentworth, founders or defenders of the infant settlements; to whom were added in due time others from England like Vaughan and the Cutts, or from Massachusetts, like Nathaniel Weare, Joshua Moodey, and the Gilmans of Exeter. Some of them were eloquent preachers, others strict magistrates or brave captains in the long contest with savage foes. It was not until the next century, however, the eighteenth, that men appeared in New Hampshire who might be called great, wherever they had been born or had lived. Such were Stark, Langdon, and Weare, of the Revolutionary period, and Sir John Wentworth and Sir Benjamin Thompson (Count Rumford in Bavaria), of that and the succeeding period. Thompson spent but a few years in New Hampshire, and his chief reputation was won in Bavaria or in England. But for Franklin, Count Rumford would be the most distinguished man of science produced by colonial America; and he is even now more valued than in his lifetime, for pioneering discoveries not then fully recognized as important. Sir John Wentworth has already been sufficiently noticed.

John Stark was the chief military man in the

whole history of New Hampshire, which includes many others noted for courage and conduct. He was born in the Province, his father, Archibald Stark, having but recently come over from Glasgow in Scotland, although the ancestors are said to have been more remotely German. Trained to a hardy outdoor life, he became noted for agility and endurance, though not of such large frame and commanding aspect as several of his compatriots were. He early learned all the traits of Indian life and savage warfare, and was for some time, before the French and Indian war, a captive among the Canadian Indians, who testified much respect for his manly qualities. In the war which first showed Washington to the world for what he was, Stark also had his years of discipline and his test of soldiership. He was among the many friends and admirers of Lord Howe, who died in one of the fights in which Stark took part, and he seems to have profited by that great commander's example. The war ended, he went back to his forest farm and his saw-mill, and was at work in the mill when the news of the Lexington fight reached him. He rode at once to the scene of action, enlisted and drilled a regiment, and at Bunker Hill did the most strategic and effective fighting. He was present at several of the battles of 1775–76, and distinguished himself again at Trenton ; but his capital service was what has been described, his capture of a large British force at Bennington, after two sharp

engagements on the same day. His later services were not conspicuous during the war, but were valuable by reason of his strictness of discipline, at a time when the bonds of civil society were much loosened through long continuance of a civil war, — the worst of evils, morally considered, if it lasts for several years. After the war he remained true to the democratic principles which he had ever maintained, and which make a singular contrast to his ideas of military subordination. He bore with impatience the slight reaction toward Tory practices which the Federalists inaugurated, and welcomed heartily the introduction of more Democratic and "Old Whig" practices under Jefferson and Madison. In this he had the sympathy of John Langdon, the wealthy merchant and polite gentleman, whose manners were the reverse of Stark's.

Stark's life extended from 1728 to May, 1822, longer than any of the noteworthy men of the Province and the Revolution. John Langdon, who was eleven years younger, died three years earlier (1739–1819); his cousin, Rev. Dr. Samuel Langdon, born in 1723, had died more than twenty years before, November 29, 1797. Sullivan, the youngest of these four, died first of all, January 23, 1795. Each in his way was important in the crisis of his State and nation. Sullivan early came to high military rank, and was also an influential member of Congress during the war. His cam-

paigns were varied with success and defeat; he was once captured by the British, and then became the bearer of a message of conciliation from the invading army, from which he hoped more good than Franklin, Washington, or the Adamses could see in it. Mercurial in temper, ready of speech, brave, and confident, he was also accessible to flattery, and had not that steady, patient valor which was so marked in Washington and Stark. His education was good, he wrote and spoke well, and was usually popular. He lost votes rather than gained them by his most honorable exploit, the suppression of the revolt of 1786. His grandson and namesake, Judge John Sullivan of Exeter, gave this sketch of General Sullivan's aspect: —

"In person he was short, about five feet six or seven in height; very erect and well formed; his hair and complexion dark, his cheeks red, and his eyes black and piercing. His manners were dignified, but easy and graceful, and he had a faculty of making each one in a company think himself an object of particular attention. Hospitable and fond of display, he was prodigal of money; in his dealings, honest, generous, and honorable; in temper, ordinarily mild and tranquil, and far removed from petulance. When roused to resentment he was stormy and violent. His mother, a small woman, was remarkable for her beauty, her vanity, talents, and energy; and not less remarkable for the violence of her temper."

The Langdons were no less noticeable for their

good looks and good manners. Dr. Langdon, the eldest, probably the most learned man of his time in New Hampshire, was for twenty-seven years pastor of the wealthiest congregation in the Province, and from his pulpit were taken two college presidents, — himself for Harvard (where he had graduated at seventeen) in 1774; and Dr. Ezra Stiles, invited from the church Dr. Langdon had left, to the presidency of Yale College in 1777. Though a Bostonian born, Dr. Langdon (whose doctorate was given by Aberdeen in 1762) did not please some critical Bostonians who governed Harvard, and he was perhaps unfitted for the tasks of college discipline, then rather unhinged by the long war. Accordingly, he resigned the presidency in 1780, and spent the rest of his honorable life in the quiet parish of Hampton Falls, where President Weare of New Hampshire was his parishioner, and where Paine Wingate, afterward judge and senator in Congress, had preceded him as pastor.[1]

[1] I was born and spent twenty years of my life in this parish where Dr. Langdon was still well remembered; he had been the pastor of my four grandparents, and my aunts, as children, had gone in and out of the small parsonage, not so spacious or picturesque as the Old Manse. He is buried in the older of two cemeteries, near the graves of four generations of Sanborns, and two miles away from the graves of President Weare and the first minister, Theophilus Cotton, a grandson of John of Boston. Dr. Langdon had diverged from the stricter Calvinism of his ancestors, and was perhaps an Arminian, as his pubished writings rather faintly show. John Eliot, brother-in-law of Dr. Belknap, the historian, writing in November, 1774, says of the Harvard

Dr. Langdon aided effectively in forming a Constitution for the State, and in promoting the acceptance of the Federal Constitution; was a clear and rather lively writer, liberal in his theology, and a correspondent, like Dr. Stiles, of many of his learned contemporaries in America and Europe.

John Langdon, though bearing military titles, and occasionally serving in the field, as at Bennington, Saratoga, and Newport, was a man for the council board and the counting-room rather than for the camp. Early successful as a merchant, and partly bred in England, he was firm in his principles but gentle in his manners, and carried on in Portsmouth the tradition of hospitality and urbanity which Governor Wentworth had so agreeably kept up. He presided over the United States Sen-

President: "In the academical chair I think him a *compages* of good sense, much learning, more arrogance, and no less conceit." When the agitation for his withdrawal began, and the unruly students petitioned the electors to remove their president, Mr. Eliot writes that one of their charges against him was "his unbecoming way of addressing the Deity." This must have been particularly harassing to the young scapegraces. They are also said to have addressed the venerable scholar, thus: "As a man of genius and knowledge we respect you; as a man of piety and virtue we venerate you; as a president we despise you." Rev. William Gordon, historian of the Revolution, declared, in the meeting of the college overseers, "that the whole proceeding arose from the mere malice of one of the governors of the College (Mr. Winthrop, the librarian), who had the impudence to tell Dr. and Mrs. Langdon that he had long sought an opportunity to revenge an affront some years since," etc. In his parish he was useful, courteous, and beloved.

ate for its first few weeks, before Vice-President Adams took the chair, and is reported to have been more acceptable in that office than the admirable but fidgety and egotistic Adams. As Governor of New Hampshire, Langdon was popular and gracious, without distinguishing himself by the advocacy of any important measures, and he lived to see his party, that of Jefferson and Madison, fully established in control of the national government, as did his friend General Stark.

Particulars of John Langdon's life are none too well known. Two sketches of it exist, — by Governor Plumer, his contemporary and successor at the head of the New Hampshire Republicans, and by his own grandson and namesake, John Langdon Elwyn. The latter, a humorous, incoherent writer, says of him, with justice: —

"The name of Jacobin could not drive him from his Democratic ground. From his choice of party to his twelfth year of senatorship, neither the flattering friendship of Washington, the sophistry nor the courting of Hamilton, from whom he said he received the highest compliment of his life, the fury of John Adams's reign, the drawing-rooms of Philadelphia, of which he was a distinguished ornament, nor the long, long discouragement of a minority, ever dictated a vote of this well-tried Democrat. Though the honor afterward paid him, by a great and triumphant party, for this political career as Senator, was boundless wherever he was known; and though for twelve years he was the gayest of men, and

conceded to be one of the most engaging and elegant gentlemen in the most exclusive circles in the United States, his grandchildren never knew him to speak of this part of his life, of himself. The speech of Hamilton to him we never heard him tell but once; but the spirit with which he told it showed he understood it. On some occasion he happened to take the Secretary home with him in his carriage: 'Sir,' said Mr. Langdon, 'you are riding with one of your stanchest political enemies.' 'Sir,' said General Hamilton, throwing his hat down on the floor of the chariot, 'I see an honest man.' He, with all the Senate but five, voted for the first Bank of the United States, and was an original subscriber of some account. He had been concerned in the Bank of North America, the real first national bank; he was an intimate friend of Robert Morris. He voted in the Senate for the Funding System of Hamilton; his colleague, Paine Wingate, against it. He voted against assuming, or trying to assume, the real debts of the States: it passed the House, even Mr. Gerry helping. Mr. Langdon by his own efforts stopped it in the Senate. He had now to face a danger he was more likely to take account of than of his limbs, — public odium for the first time in his life: he faced it. When the Alien and Sedition laws were passed, he lost no time in making known his judgment concerning them. He stood stanchly against the warlike drift of President Adams's majorities, — getting sometimes into a minority of five, in which was a young gentleman [Andrew Jackson, then Senator from Tennessee] whose after-conspicuousness as captain and statesman, he may have foreseen. Investigation of his political life but discovers some overlooked debt his country owes

him. Of what made the American war and protected it, of what fabricated the Constitution, he had thorough knowledge; the heroes and demigods of our Iliad and Odyssey, he knew them all. The rest of his political career belongs to his native State, in which it was as brilliant as that theatre could make it."

Less whimsical, but perhaps not less prejudiced, William Plumer said of Langdon: —

"He was a man of decent talents, but neither [were they] great nor brilliant. In early and middle life he was liberal of his money, but not profuse or lavish; his manners were easy, polite, and insinuating, and his habits peculiarly social. He courted popularity with the zeal of a lover and the constancy of a martyr; and by his manners and habits was well qualified to acquire and retain it. While most others lost property by the Revolution, he acquired a considerable estate, and at the same time rendered useful services to the nation. In New Hampshire he was the head of that party which assumed the name of Republicans; and before President Washington's second term expired, Mr. Langdon declared he wished a change of men in the government, *from President to doorkeeper*. Few men in New Hampshire ever obtained so many offices, or held them for a longer period. He owed his elections not to distinguished talents, but to his fascinating address, amenity of manners, and his social habit of greeting every man he met. As Governor, his deportment was easy and dignified. His speeches, messages, and vetoes were not above mediocrity."

Whatever Langdon's other talents were, he had

the talent for success, and the modesty which too rarely goes with it. His party, to which he adhered as faithfully as he had championed the patriot cause in the Revolution, would have elected him Vice-President in 1812, had he not declined. He had wished, the year before, to decline reëlection as governor, but so great was the wish of his friends to vote for him that he was persuaded to stand, and it was while in this office that he refused to be Vice-President. He told Plumer, his successor, that "If his motives were purely selfish, and regarded his own reputation, he should never again appear in public, and was impatient to retire to private life." In his two letters declining the vice-presidency, he said: —

"I beg leave to add that I am now [June, 1812] seventy-one years of age, my faculties blunted, have lived the last forty years of my life in the whirlpool of politics, and am longing for the sweets of retirement. My advanced age forbids my undertaking long journeys, and renders me incapable of performing the important duties of Vice-President with any advantage to our beloved country, or honor to myself. To launch again upon the ocean of politics, at my time of life, appears to me highly improper. . . . I should have thought it an honor, and it would have been my highest pleasure, to serve my country in any station while my great and good friend, Mr. Madison, continued in the Presidency; as I consider him one of our greatest statesmen, an ornament to our country, and above all, the noblest work of God, *an honest man.*"

This was very unlike the opinion which young Daniel Webster and his associates, the New Hampshire Federalists, then held and expressed of Madison; but it is what the sober judgment of posterity maintains. He was not equal to the active tasks of war, as Langdon had been in his day, but his statesmanship and integrity were beyond question. John Langdon survived to see his State return to the Republican faith, after the war with England, and died in 1819, — never having left New Hampshire after 1811, except to attend the funeral of his sister, the wife of Governor Eustis of Massachusetts.

His only brother, Judge Woodbury Langdon, who had been, like John, a sea captain and a prosperous merchant, got the reputation of a Tory early in the Revolution, by making a voyage to London to regain property which was threatened by the war. Returning in 1777, after a year or two in London, he was imprisoned in New York by the British, and after his escape, joined his relatives in active hostility to England. Like his brother, he was handsome and accomplished, and with a turn for wit which the more popular John concealed, if he had it. When impeached by the New Hampshire House in 1790, for alleged neglect of his duties as judge of the highest state court, he admitted the fact, gave his reasons for absence, and retorted by charging the legislature with improper interference in the business of the court. In August

following, his trial by the State Senate was appointed (a body of which he had been president) at Exeter. He presented himself for trial, but the Senate found they had no right to sit in the recess of the whole legislature. Says Plumer, who reports the case: —

"Judge Langdon urged the Senators to proceed; the senior Senator, unwilling to avow the real cause of delay, observed there was not a full Senate present. The judge replied 'He took no exception to their absence, — he was even willing to dispense with the attendance of some who were present.' But the trial was postponed to the winter session in 1791. Before that time President Washington had appointed him to a federal office, which he accepted, and resigned his office of judge. On the eve of his departure for Philadelphia (January 17, 1791), in a letter resigning, he stated freely his opinion of the importance of the office of a judge, the inadequacy of the salary, — and complained of the encroachments of the Legislature upon the Judiciary, in passing bills to annul their judgments. He observed, 'Many are impatiently waiting to fill my place; yet I hope the Executive will be directed to make choice of such a gentleman as will be a credit to the appointment, — not an ignoramus, — no sluggard, no sycophant.' His letter was accompanied with a vindication of his conduct as judge, and his answer to the articles of impeachment. The House of Representatives voted [January 22] that, as the judge was under an impeachment, he ought not to be permitted to resign, and that he was guilty of contempt. But four days later they ordered the Managers not to

prosecute the impeachment. At the same time they passed an address to the President (Dr. Bartlett) and Council, requesting them to remove the judge from the office he had resigned. The Senate unanimously non-concurred. Thus ended the impeachment, which was instituted more to gratify personal pique and private resentment than to promote the public interest."

This was the first and perhaps the last judicial impeachment in the State's history. Judge Langdon forfeited popularity by his plain speech and arbitrary manners; but on the whole Plumer, who knew him well after 1780 till his death in 1805, gives him a good character: —

"In 1796, when a candidate for Congress, he belonged to the anti-Federalist party, then in a minority; and no man of that party, however pure his character or great his talents, could command a majority. In the offices he held he displayed great ability, and no man ever performed more public duty in less time. He was a man of great independence and decision, bold, keen and sarcastic, and spoke his mind with great freedom. He maintained his opinions with firmness, and looked with contempt on the mean and base acts practised to obtain popularity; abhorred duplicity, and, tho' shrewd and discerning, was open and frank as prudence required. He was distinguished for quickness of apprehension and soundness of judgment, and in point of talents few men, if any in the State, exceeded him. To his friends he was attentive, and to his personal enemies (and he had many) he was unyielding. It was his maxim, when he was

obliged to quarrel with any man, '*not to quarrel at the halves.*'" [1]

When the violent Federalist party was formed in New Hampshire, in the second administration of Washington, that great name was made to sanction a deal of bitterness and contempt for the "dirty Deemocrats," as a high-placed dame used to style the party of Jefferson, Langdon, Stark, and Madison. The atrocities of the French Revolution, together with its manifest absurdities, had so excited the fears of the comfortable and respectable ministers, lawyers, merchants, and large farmers in New England, that they really dreaded a social uprising and overturn in this quiet corner of the earth. This caused a reaction from the exaltation of mind in which our ancestors had declared what Abraham Lincoln called Jefferson's manifesto of 1776, "the axioms of free society." The aristocratic instincts, never far beneath the surface in men of English descent, revived and became prominent again, as before the Revolution, and the sacred cause of religion itself was supposed to be threatened by the new Republicans of Virginia and Vermont. The natural conservatism of the New Hampshire people, satisfied with Washington for his grand career

[1] A good portrait of this elegant and willful gentleman, apparently painted in London, exists, and has been copied for the Senate Chamber in Concord. His impeachment was partly managed by Judge Smith, afterward chief justice and governor, who had as much wit and almost as much good looks.

in war and peace, resented any intimation that violent partisans had his ear and misused his authority. In this period of exaggeration and apprehension, the State being deeply in debt, and the towns heavily burdened with their own debts and taxes, wild schemes for relief, such as came to the surface in the Exeter rising of 1786, were again agitated, and the mercantile and legal classes were compelled to be constantly on their guard against some dangerous popular delusion, and the odium that, for one cause or another, lawyers had provoked or encountered. The men of this profession therefore were generally Federalists, and among them were several who became eminent, — Jeremiah Smith of Peterborough and Exeter, William Plumer of Epping, Jeremiah Mason of Portsmouth, and, more than all, their youngest associate, Daniel Webster. On the other side were most of the men who had been officers in the war, Stark, Cilley, Cass (father of the Michigan governor and statesman, Lewis Cass), Pierce, the father of President Pierce, and others of less note. The heads of Dartmouth College and of the academies (notably that in Exeter) were Federalists, and so, generally, were men educated as clergymen who became politicians, like Wingate of Stratham and Foster of Canterbury.

Among the Federalists were several men who had originally been loyalists, or neutral; among these were Joshua Atherton of Amherst, and one of the uncles of Cynthia Dunbar, the mother of

Henry Thoreau, who lived in New Hampshire. Her father, Asa Dunbar of Keene, who had also inclined to Toryism after marrying the only daughter of the loyalist Colonel Jones of Weston, would have been a Federalist, no doubt, had he not died in the year the Constitution was framed, 1787. The leading lawyer in the Connecticut valley, Benjamin West, was a Federalist, and so continued, for he was a delegate to the Hartford Convention of 1814–15; while William Plumer followed the example of his younger friend, John Quincy Adams, and left the party during Jefferson's presidency. The Gilmans of Exeter were generally Federalists, the exception being Nicholas, who served in Congress and the Constitutional Convention with John Langdon, and he had originally been of the same party with the rest of his family. The Livermores of Portsmouth and Holderness were also Federalists, — the head of the family having been attorney-general, chief justice, member of Congress, and often in the legislature.

All these persons were distinguished, and merited their distinction, but no sketch of them is called for here, unless they had some special title to fame. William Plumer had; his career was unlike that of the rest, and gave him prominence in many ways. Beginning life in Massachusetts, under keen religious impressions, his first aim was to be a preacher. At the strong desire of his father, he became a farmer in Epping, but could not relinquish his

ambition for a more public way of life, and studied law, rather irregularly. His strength of mind and application were such that he soon became a leader at the Rockingham bar, and at the same time entered vigorously into public life, while privately cultivating a taste for history and literature, and conducting an extensive correspondence, particularly, for some years, with his rival at the bar, Judge Smith, who had been a very youthful soldier under Stark at Bennington, while Plumer in the Revolution seems to have inclined at first toward the mother country. After serving for a dozen years in the state legislature, and accumulating a competency in his profession, Plumer became senator in Congress, in 1803, holding Federalist opinions, and very severe in his criticism of Jefferson and the Republicans. In 1804, convinced that several of the Federalist leaders in Congress from New England meditated disunion, his party zeal cooled perceptibly. It was from him, in part, that J. Q. Adams derived information which led him afterward to denounce Federalists from Massachusetts and Connecticut as disunionists; and the correspondence since made public shows that they were. In the Senate Plumer first met Henry Clay, who, not yet thirty, had been sent to represent Kentucky among his seniors. His own observations and the influence of Adams and Clay led him to support the party of Jefferson and Madison, though not agreeing in all their policy, and when Langdon withdrew

from further public life, Plumer became the head of the New Hampshire Republicans, and was Governor in the first year of the short war with England, which Smith and Mason, the Livermores and Webster, sincerely opposed. When as Governor he planned to make Dartmouth College a State University, modeled after the University of Jefferson and Madison, it was partly the old virus of political animosity which brought Smith, Mason, and Webster into the field of law against him; and their learning, eloquence, and social influence defeated his plans. Retiring from public life in 1819, soon after his eldest son entered Congress, Plumer determined to write the political history of the United States, and made large collections of material, both printed and manuscript, for that purpose. But the main fruit of his industry in that direction was a mass of brief biographies, only a few of which have yet been printed, and the contributions which his son used in his spirited life of Plumer. The character of the father was severe and saturnine, a great contrast to Langdon and Sullivan, and his popularity was owing to a strong impression of ability and honesty, which his puritanic attitude conveyed. His written style is heavy, and his verdict on his contemporaries colored by prejudice; but he has supplied history with a store of valuable and often piquant detail.

Plumer was but twenty-four when peace with England was declared, and he could hardly have

distinguished himself in that struggle; but he knew personally most of the patriots, and several of the loyalists, and what he says of them is instructive, if tinged with dislike, of which he was very capable. Of one patriot, Meshech Weare of Hampton Falls, he finds nothing but good to say; and this exception to his habit of severity points to the fact that Weare was the one indispensable man in New Hampshire through the critical period of the Revolution. He was older even than Stark, being born in 1713, in the small township which he seldom left, except to go through Harvard College and to transact public business; and he continued in the service of his Province and State until within a few months of his death, at the age of seventy-three. Leaving college in 1735, he expected to become a clergyman; but his marriage to a lady of some landed property turned him aside to its cultivation, and she built in 1737, on a low hill in the midst of it, the simple unpainted wooden mansion, where the rest of his life was spent. With no special military education, he early bore the title of Colonel, from his command of a county regiment; and he followed the example of his father and grandfather in taking an active part in the Assembly and Council of the Province. He became a judge by the appointment of Benning Wentworth, — his ancestors having for two generations held much the same place in Hampton that the Wentworth family did in Portsmouth, except in

point of wealth. They were independent in fortune, but did not accumulate, and had no uneasy ambition for conspicuous office. Nathaniel Weare, his grandfather, had spent a year or two in England during the troubled times of Cranfield and Barefoot, as the agent of his brother planters; but none of his numerous descendants had sought to push their fortune, or waste their substance in the mother country. Sound judgment, integrity, and public spirit were their qualities, accompanied by a modesty that withheld them from display. Judge Weare was a friend of Governor Wentworth, and in the Provincial Congress, along with his parish minister, Paine Wingate, had urged moderation when Sullivan and Langdon were pressing on the resistance to British aggression. But when the war began, no sturdier patriot was found than this quiet country gentleman, who had studied law to qualify himself for the bench, but relied on his native sagacity and courage to carry him through the toils of state administration. The Committee of Safety was elected twice a year, but nobody seems to have proposed any other for its chairman than Weare; and his hand is seen, energetic and unshaken by danger and difficulty, in all the measures of government. Like Washington, of whom, except in his military character, Weare reminds us, he never seems to have been depressed by ill success, or too much elated by victory. At the close of the war, when governor of the new State, under the title of Presi-

dent of the Council, he issued a Thanksgiving proclamation from Portsmouth (November 2, 1784), in which, among the causes for gratitude to God, he mentioned these: —

"That our Supreme and All-Bountiful Benefactor has triumphed over our unworthiness, and against the force of all our ingratitude hath crowned the year with his goodness, following the blessing of Peace with that of Plenty, to replace the expenditures of a tedious war; that he has so far succeeded our Trade and Commerce, and been the health of his people's countenance and their God; that he has wiped off all traces of former subjection from this State, by establishing a new Constitution of Government, in which our liberties, civil and sacred, are amply secured; that he has continued the lives of our Ambassadors at foreign Courts, and is giving us honor and respectability with the nations of the earth."

So much for the past; in future God must be prayed "to bless our public councils with wisdom and unanimity, diffuse a true spirit of patriotism through all ranks and orders of men, . . . smile upon our Commerce, Navigation and Fishery, bless the labors of the laborer in every department, take the interest of Education and Literature under his nurturing hand, and fill the earth with the Glory of his great Name."

This may serve as a sample of his later style, in which are reminiscences of a theological education. In his correspondence and speeches he was simpler and more direct; in all his policy fair and earnest,

yet with a knowledge of human nature that kept him from initiating or carrying out injudicious measures, however strongly urged thereto. His effective peaceable settlement of the dispute with Vermont, which had led to the secession of a large part of the western townships, and their temporary union with that State, is sufficient evidence of his wisdom and moderation. His freedom from personal interest and ambition is testified by the critical Plumer, who wrote in his sketch of Weare: —

"He was not a theoretic but a practical statesman, distinguished for amiableness, uprightness and fidelity. From the Declaration of Independence to the conclusion of the war he was invested, at the same time, with the highest offices, legislative, judicial and executive; and continued in them by annual elections. The various important offices which he held during the long period of forty-five years made him not proud or haughty. They did not change his mind, manners or mode of living; his old mansion-house remained unpainted, its ancient furniture was still used, and he continued to the last the same modest, unassuming man. From all his offices, and with all his prudence, he added not a cent to his property, which at death did not exceed that of a good common farmer."

Probably his estate was diminished by his public service, and the outfit of his ten children; for it might well be true of Judge Weare as of his colleague in the Committee of Safety, Judge John Dudley, who told Plumer that "according to an

estimation made by himself, he actually lost during the Revolution one half of his property." Of his person we have no portrait, and it is doubtful if he ever allowed one to be painted; but the tradition is that he was "tall, slender, and commanding, erect and quick of movement, with a bearing of quiet dignity; affable in manner, but incisive of speech." [1]

[1] The house of Weare was one of the first that as a child was pointed out to me, and then remained exactly as the old President had left it, more than a hundred years after his bride's father, Samuel Shaw, had built it for the young couple in 1737. It was noteworthy among houses for its old-fashioned wall-paper, a hunting-scene, consisting of the stag, the hounds, and the huntsman, in successive compartments, diagonally above one another, and so repeated throughout the room. This paper had been put on in great pieces like tapestry, when the house was building, and was held in place by the "finish" above the old-fashioned paneling. In the chamber above was the high-post bedstead, with its curtains of checked homespun linen, most likely spun and woven in the "L" of the house; and in the bed Washington is said to have slept, when visiting New Hampshire for the first time, in 1775. The house was occupied, until 1849, by Mrs. Porter, a daughter of President Weare, and her niece, his granddaughter, Miss Lang, who showed me the rooms. Of the sons of the patriot, one was killed in the Revolution, and two survived their father: Nathaniel, who removed to Deerfield, and was long clerk of the Rockingham Court, and Samuel, a justice of the peace, with a farm adjoining that of my grandfather, two miles west of the Weare mansion. The papers of the family were scattered and some lost and lately (1908) found; public papers of the President and chief justice are preserved in the records of the State and the courts, and many of them have been printed. A full biography of the Weare family from 1638, when the first Nathaniel settled in Newbury, till the President's death in 1786, is much to be desired. The emigrant ancestor was of the family of Weare at Wear-Gifford in Devonshire, and the first chief justice, Nathaniel, sealed with their arms in 1700.

His public life began as "moderator" of town meetings in his native town, which then included Seabrook, where his grandfather had settled in 1662. This was in 1739, the year after his first marriage, and he continued to be chosen to this office until 1769, when, having taken sides in a church contest about the location of a new meeting-house, he declined, as moderator, to put a vote, and was never afterwards elected, though representing the town in every other capacity. The State elected him unanimously as its first President under the Constitution of 1783, two years after he had resigned his chief-justiceship by reason of age; he was reëlected in 1785, and continued to act as President of the Council after his infirmities obliged him to call them together at his own house, as Benning Wentworth had often done. He died January 14, 1786, and was buried at the foot of his hill, in the first cemetery of the parish, and hardly a musket-shot from his own door. Seventy years after his death, the State erected a marble shaft, at about the same distance in front of his mansion, as a monument to his memory, and near the site of the first meeting-house where he worshiped, and sometimes had preached.

When Weare was dying at Hampton Falls, only a mile away from the large farm of the Bachelders, where the grandmother of the child was born, a dark-eyed boy, in his fifth year, was playing about the door of his father's new frame-house "in a

valley at a bend of the Merrimac, a few miles below the head of that river," in the present town of Franklin, but in 1786 still a part of what had been Bakerstown, and became Salisbury. This child was the most illustrious of all the men of New Hampshire, — Daniel Webster; his father was the son of Susanna Bachelder of Hampton Falls (born in 1713), the granddaughter of Nathaniel Bachelder, who, in turn, was the grandson of Stephen Bachiler, the founder of Hampton and the ancestor of numberless descendants in England and New England.[1] Of this descent Webster was proud, and with some reason. Writing to his son Fletcher, on the birth of a grandson (March, 1840), the statesman, then in the national Senate, said: —

"As the boy has dark hair and eyes, you may give him my name, if you please. I believe we are all indebted to my father's mother for a large portion of the little sense and character which belong to us. Her name was Susanna Bachelder; she was the daughter of a clergyman, and a woman of uncommon strength of under-

[1] This stalwart Puritan was born in 1561, three years before Shakespeare, educated in Laud's College at Oxford (St. John's), before Laud's arbitrary time, and ejected from his living in Wherwell by Lord De la Warr, in the early reign of James I, for puritanic opinions, which he continued to maintain as a wandering minister, in England and Holland, until he sailed for New England in 1632. He left several sons in England, at the house of one of whom, Francis, he died in 1660, in his hundredth year. In America he was the ancestor of all the Sanborns, all the Wings, most of the Husseys, and a great many of his own name. He had the merits and defects of his time and his class.

standing. If I had had many boys, I should have called one of them Bachelder."

His own father, Captain Ebenezer Webster, "favored his mother," as they then said in the Province, and had her dark complexion and glowing black eyes. When Daniel Webster had seen many men, in America and Europe, he still said, "My father was the handsomest man I ever saw, except my elder brother, Ezekiel;" and the traditions bear out this filial estimate. The softer beauty of the grandmother was reproduced in the orator in a striking masculine form, of which that grand word-painter, Carlyle, after seeing Webster at London, in 1839, wrote to his friend Emerson: —

"You might say to all the world 'This is our Yankee Englishman; such limbs we make in Yankee-land.' As a logic-fencer, advocate or parliamentary Hercules, one would incline to back him at first sight against all the extant world. The tanned complexion; that amorphous crag-like face; the dull black eyes under the precipice of brows, like dull anthracite furnaces, needing only to be blown; the mastiff mouth, accurately closed; I have not traced so much of *silent Berserker rage* (that I remember of) in any other man. 'I guess I should not like to be your nigger.'"

The insight of Carlyle was not at fault in hinting a certain arbitrary quality in this well-endowed orator. At the age of thirty or thereabout, while living in Portsmouth, and representing that part of the

State in Congress, Dr. Goddard, the son-in-law of Dr. Samuel Langdon, who had taken an opposite direction in politics from Webster's, told Governor Plumer that the young Federalist had the temper of Robespierre! In the way Webster had chosen to walk, he had few scruples as to his manner of dealing with opponents. Neither then nor now could the New Hampshire bar be esteemed a nursery of fine manners; and it was in this school that Webster was trained, after graduating at Dartmouth in 1801. He had prepared for college in part at Exeter, under Dr. Abbot; and in entering the academy, he was brought from Salisbury, "riding double" behind his father, in clothes that he had outgrown, and with rustic manners which caused him mortification in the little universe of Exeter.[1] There, as everywhere, he interested his elders, and was kindly encouraged on the road to public life which his father had chosen for him, and along which his own ambition urged him. But his father was too poor, though himself a public man, to maintain him at Exeter, and after a few months there, the lad left to complete his preparation for Dartmouth nearer home. He attracted attention in college by his mode of declamation, and by the pronounced originality of his character.[2] Making his own way through the

[1] Conversation of Miss Clifford.

[2] A slender thread connects John Langdon, the patriot and subsequent opponent of the young Federalist, with Webster in college. Ebenezer Webster, the father, had borrowed money of the wealthy and liberal Langdon, about 1796; in 1802, when Daniel

study of law, with the aid of his elder brother, he soon began practice in the rural courts, easily impressed judges and counselors with his mastery of the profession, and early removed to Portsmouth,

had graduated and Ezekiel was in college, Judge Webster wrote to "the Honr. John Langdon" thus: —

I received a letter dated July 6 from Esq. Shannon, in which he says that you want the money I owe you, or the note renewed. I mentioned the matter to you, Sir, at Concord in June last; told you that I would come down between now and Fall, and have the matter settled. You may depend upon it that your demand is safe. The reason of non-payment is my educating two of my sons in Dartmouth College. It is now a busy time of the year for farmers, and I think the Limitation Act cannot affect the matter at present. And if Providence spares my life and fortune, you shall be satisfied to your satisfaction.

With Esteem I remain your Friend and humble Servant,
EBENEZER WEBSTER.

Apparently, this good resolution was not carried out; for three years later (July 9, 1805) Judge Webster writes to say: "It will not be in my power to raise the money at the August Court, unless I sell a part of my real estate. If you could make it convenient to wait till Fall I will delay no longer of paying you to your satisfaction; for at that time I have a considerable sum of money due. I should have called on you at Concord [Langdon being then Governor], but the state of my health would not admit of it. My Son, the bearer, will doubtless make some further statements."

This son was doubtless Daniel, who in the winter before had refused the office of clerk of the courts in his native county, with a salary of $1500, which would have paid the small debts, and made his father comfortable during the few remaining months of his life. Daniel made his first speech in court a month later, in his father's presence. In 1802 he was at the Fryeburg Academy, earning money, but not saving it. When he left Portsmouth in 1817, his debts there, unpaid, amounted to thousands, which his Boston friends cheerfully paid.

the commercial capital of the State, in 1807. He was already a politician, and so active that, five years after, he was sent to Congress from the Portsmouth district. He was in opposition to the administration of Madison, as he had been to Jefferson's; he opposed the war with England, and was one of those who darkly hinted at a dissolution of the Union, in some indefinite time "when a small and heated majority, contemptuously disregarding the interests, and perhaps stopping the mouths of a large and respectable minority, shall threaten to destroy essential rights, and lay waste the most important interests." He meant the interests of property, which he always sought to serve, and which led him into his worst mistakes. Property was something that Webster could acquire, but never retain; and this spendthrift habit, which showed itself in the provincial parsimony of Portsmouth, where in a few years he became seriously in debt, was increased after his removal to Boston at the suggestion of powerful financial interests. From that time forward he was seldom free from the obligations of debt, nor from political subserviency to the interests of invested wealth, which his career as a statesman frequently manifested.

But his powers and fame as an orator and forensic pleader rapidly advanced. In the House of Representatives, though among the younger members, and from a small State, he soon became a force in opposition to the administration which its support-

ers dreaded to meet in argument. Only the ablest of his contemporaries, Clay and Calhoun, were a match for him then; and they became by turns his allies and his rivals afterward. In the Supreme Court, especially after the Dartmouth College decision, he became one of the most powerful pleaders, reinforcing his sound knowledge of the principles of law with a matchless method of presenting the strong points of his case. Beyond this was that resource of oratoric genius, an appeal to the imagination and the emotions, — faculties which would seem to have little place in the calm balancing of reasons and the marshaling of law precedents, but which more than once turned the even scale of justice toward his side. This manifestation of innate genius was aided for many years by the unusual aspect and bearing of the man, which made him remarked wherever he was seen, and gave a charm to his utterances that captivated audiences, either of the many or the few.

In the powers of his mind the masculine understanding held the first place; of the higher reason which deals with ultimate questions he had less than many men of inferior talents. Thus his grasp of principles in law and politics was firm and often profound; but in philosophy he was content with the traditional and accepted. His learning was not vast, but what he had was so well marshaled as to pass for more than its intrinsic worth. His glowing imagination brought him within the ranges of liter-

ature, and the best passages in his orations, while aiding the effect of his contention at the time (as we are told Burke's did not), long since took their place in the literary treasures of his native land. Much as he was indebted to the accumulations of English law, politics, and poetry, he yet had a genius peculiar to New England, and not derived by acquisition from the mother country. Nay, beyond this he was endowed with that mysterious attribute which we specially term "genius," and which set him apart from all New England, in a class by himself. It was this that his countrymen felt, but could not understand; they propitiated him with gifts and honors, but they could never satisfy a deep instinct of his nature which he could not wholly control, and which made him, for much of his life, a solitary and melancholy man. The defeats of his political ambition, keenly as he felt them, affected him less than the failure of his inner life to reach the ideal once set before it. Few of his critics or encomiasts have taken note of this mark of his high calling, and its persistent frustration in the publicity of his illustrious career. But another man of a genius also foreign to New England in its manifestations, the elder Hawthorne, in one of his New Hampshire tales, has well expressed it: —

"Something had been originally left out, or had departed. And therefore the marvellously gifted statesman had always a weary look in the deep caverns of his eyes, as of a child that has outgrown its playthings, or a man

of mighty faculties and little aims, whose life, with all its high performances, was vague and empty, because no high purpose had endowed it with reality." [1]

[1] This appeared in Hawthorne's *Great Stone Face*, written after the election of General Taylor as President, whose allegorical shadow, vanishing into the wraith of his antecedent, Andrew Jackson, also figures in the tale. The Face is the "Old Man of the Mountain" in the Franconia Notch. N. P. Rogers, the New Hampshire friend of Thoreau, in 1846 was writing for Horace Greeley's *Tribune* reminiscent letters signed "The Old Man of the Mountain." In one of them (March 28, 1846) he said: —

"Daniel Webster used to come to court in Plymouth when he was a young lawyer. He and his brother Zeke used to come together after a year or two. I can see them now driving into that little village in their bellows-top chaise (top thrown back), driving like Jehu, the chaise bending under them like an elm-top in a high wind. Daniel was a black, raven-haired fellow, with an eye as black as death, and as heavy as a lion's, — a heavy look, not sleepy, but as if he did n't care about anything that was going on about him. They say the lion looks so when he is quiet. It was n't an empty look, but one that did n't seem to see anything going on worth his while."

Rogers was the son of an old physician of Plymouth, and had himself seen what he here described. In the same letter, speaking of Judge Arthur Livermore of Holderness, before whom Webster often tried cases, and whose father had been chief justice before him, Rogers tells this story: —

"'It is laid down so-and-so in Coke,' said a counsel to him once in an argument. 'Coke was an arbitrary man,' said the judge in reply. 'But a Massachusetts judge of some standing, Parsons, C. J., was of the same opinion.' 'Mr. Parsons was a great adherent to precedent,' said Judge Livermore; 'the law is not so in New Hampshire.' He would decide for himself, if all the judges in old England and New were of the other opinion."

Another anecdote of Livermore in Congress (1817–23) is told by Rogers.

"They sent him to Congress when John Randolph was there.

In the outward world, where he publicly moved, Webster's purposes were high, — the advancement of his section, first, and then of the whole country; the maintenance of the American Union, which he had once vaguely hinted might be virtuously broken; but which he seemed, in his latest years, determined to maintain at the expense of most of the virtues. His highest flight of eloquence was his panegyric on the Union in his reply to Hayne of Carolina; and next to that was his praise of sensitive courage in the colonists, rising up against England in defense of English rights. He said: —

"On a question of principle, while actual suffering was yet afar off, they raised their flag against a power to which, for purposes of foreign conquest and subjugation, Rome, in the height of her glory, is not to be compared: a power which has dotted over the surface of the whole globe with her possessions and military posts;

Randolph thought he looked too stately and baronial for a Northerner, and would make him aware he did not come from Old Virginia. Livermore had made a few remarks, not to Randolph's mind; he got up and said in the Roanoke vein and manner, 'The gentleman from *Vermont* had said so-and-so,' etc. The House felt the taunt all round, — all but Livermore, who quietly rose, when Randolph had done, and said, 'Mr. Speaker, I respect the opinions of the gentleman from *Rhode Island*, but must differ from him in this instance,' etc. Randolph put on his fur cap and went out to see what had become of Juba and Syphax; he did not mistake Judge Livermore's State after that."

Rogers was celebrated by Thoreau in his short paper, *The Herald of Freedom*. This was a weekly journal edited at Concord by Rogers for a dozen years, in the anti-slavery cause.

whose morning drum-beat, following the sun and keeping company with the hours, circles the earth with one continuous and unbroken strain of the martial airs of England."

It was a great service to perform, — Webster's demonstration that the Union was a nation and not a mere confederacy, — and this sober argument, reinforced by the graces and force of eloquence, became the faith of a vast majority of the American people, and gave strength to their determination to maintain the nation when it was assailed by the real disunionists, the slave-masters of the South. But Webster and his friends were apt to allege, for twenty or thirty years before the Rebellion, that the small band of abolitionists were the formidable enemies of the Union; and when a constitutional party, the same which afterward saved the nation, rose up to resist the aggressions of the slave-masters, Webster, whose principles should have made him one of them, began to denounce them as hostile to the Union. Into this error he was led, not so much by ambition for the presidency, as by seeing that the larger interests of invested wealth were on the side of slavery. He had laid it down in one of his earlier orations that it is "the part of political wisdom to found government on property," — in which, as he meant it, he was right; and when he saw a large part of the property of the country apparently on the side of the slave-masters, he forgot the maxims he had used to

qualify his rather offensive statement of 1820, and went over to the side of the few property-holders against the many small proprietors. The Americans pecuniarily interested in the maintenance of slavery, in 1850, did not, perhaps, exceed one million out of three and twenty, yet the weight of Webster's name and influence was thrown on the side of the one against the two and twenty. In theory he had always opposed negro slavery; in practice, at the critical moment, he was found upholding it. Love for the Union and fears for its continuance had weight with him, but an erroneous weight. The real enemy of the nation was negro slavery, as was amply shown by Abraham Lincoln, both in argument and in fact. The safety of the nation was found to be where Lincoln placed it, in his Boston letter of 1859, — a recurrence to the principles of 1776, as expressed by Jefferson in the Declaration of Independence.

Except as a leader of the minority party, and occasionally for a year or two as a member of the national cabinet, Webster had little to do with New Hampshire in the thirty-five years between his removal to Boston in 1816 and his death at Marshfield in October, 1852, at the age of seventy. At no time, probably, unless in that very last year, could he have secured the electoral vote for President in his native State, whose inhabitants he had offended by his action in the Dartmouth case, and by his views on the tariff and the currency. They

had a pride in his reputation, but a dislike for his opinions. He retained a pleasing memory of his native region, and used to spend some part of every summer there; he cherished an affection for the Academy at Exeter, where he first came in friendly contact with men of cultivation, and for the little college where he was educated, — a lonely man, even then, and apart from those of his own age. He is now the most eminent of all those born in New Hampshire, and his statue, with those of Stark and Hale, stands in the park in front of the Capitol at Concord, where his father helped to ratify that Constitution which the son so ably expounded and defended.

To a younger son of New Hampshire, Franklin Pierce, the State has never been willing to erect a statue, though he held the office of President, to which Webster, Clay, and Calhoun long and vainly aspired. For years, in his younger period, he was the favorite son of New Hampshire; represented her in the House and the Senate, and commanded a few of her soldiers in the Mexican War, in which Webster's son Edward died. Pierce was the child of a Revolutionary patriot who was twice Governor of the State; and he might himself have been its Governor at any time from 1835 to 1853, when he was chosen President. He had graduated, along with Hawthorne and the poet Longfellow, at the Maine College of Bowdoin, and easily won the place in New Hampshire which was denied to the

larger abilities of Webster. He was socially accomplished, of popular manners, a well-read and successful lawyer, but neither profound nor specially diligent in his profession. His real profession was politics, and he was fortunate in the circumstances of his political life, until he came in conflict with that awakened moral sense of the North which Garrison and Phillips labored so many years to arouse, and which was unsparing when once in activity. His State gave him a good majority when he was (rather fortuitously) made the Democratic candidate for President in the summer of 1852, and his friend Hawthorne wrote his "campaign biography." But with the first active measures of his administration for the protection of slavery, and its extension into Kansas, New Hampshire, with the rest of the Northern States, turned against Pierce and his party; and for half a century, with rare exceptions, the State has been out of the hands of those who, under Pierce's strict "regency," governed it for so many years. He left the presidency with a bad name in the North, and with few real friends at the South, and never regained that influence anywhere to which his talents and attractive manners would have entitled him, had he not taken the wrong side in the great controversy that followed. During the Civil War he heightened the aversion toward himself by presiding at a public meeting intended to influence Lincoln and the national forces to make a premature peace; at which

his friend Hawthorne loyally sat beside him, though taking no other part in the meeting. He survived the war, as Hawthorne did not, and was a good friend to the bereaved family. But he disappeared from political life, though living entirely in New Hampshire, where he died in 1869, at the age of sixty-five.

A more virile and eloquent statesman was John Parker Hale, whose statue also adorns the Capitol Park in Concord. Born in Strafford County in 1806, two years after Pierce, he graduated at the same college, and took up in New Hampshire the same profession of law and the same political connection. With the approval of Pierce, who then controlled the Democratic party in his State, he was chosen to Congress in 1843, having held for seven years the office of district attorney by the appointment of Jackson and Van Buren. Following the expressed opinion of the latter, but against what had become the policy of the slave-masters, who then dominated the Democratic party, Hale in 1844–45 opposed the annexation of Texas, as Webster and the Northern Whigs, and a few Democrats, also did. Pierce and the party leaders in New Hampshire called Hale to account, and refused to support him for reëlection; but a considerable defection from the Democrats in Strafford and Rockingham defeated the election of Hale's opponent, and the seat remained vacant until Hale, in 1846, was chosen senator for six years, — the

first distinctly anti-slavery senator elected and serving, since the slave question became a national one. In the Senate he had to endure, for years, the serious onset and the sportive taunts of the pro-slavery majority, among whom was his older compatriot, General Cass of Michigan, a native of Exeter, who in 1848 was the defeated Democratic candidate for President. But such was Hale's readiness in debate, his wit, and his good nature, that, in spite of his opinions, he became rather a favorite in the Senate, as he ever was with popular audiences. At the end of his term he was not reëlected; but by a reaction following the unpopular Nebraska Bill of Pierce's administration, Hale was again sent to the Senate for four years, and in both his terms he maintained himself well and secured some useful legislation. On the election of Lincoln in 1864, Hale was sent minister to Spain, where he was of no great service, and could take little part in the struggle for the Union. He died in 1873, after a long illness. For a dozen years no anti-slavery politician rendered better service than Hale, and in 1852 he was the candidate of the voting anti-slaverymen for President.

Isaac Hill and Levi Woodbury have been sufficiently mentioned, and it here suffices merely to name those illustrious natives of New Hampshire, Chief Justice Chase, General Cass, and Horace Greeley, whose mature life was spent elsewhere, and whose public service was given to other States.

It is noteworthy that for a brief period in 1851–52, six of the most active statesmen and publicists of the nation, Webster, Cass, Greeley, Hale, Chase, and Pierce, were all sons of the small State which gave birth to Weare, Stark, and Langdon, and for a few years sheltered the genius of Rumford. Other men of national fame, such as Henry Wilson, Senator Grimes of Iowa, John Wentworth of Illinois, were also born in New Hampshire.

CHAPTER XII

THE ANTI-SLAVERY CONTEST AND ITS RESULTS

The institution of slavery never had a sure foothold in New Hampshire. At first a few negroes may have come in from the West Indies, and in due time a few Indian captives were held to involuntary service. But the need of labor was supplied, for the first century and a half, mainly by apprentices and "bound" servants, the latter imported and held till they had paid the importer for their passage-money, clothing, and whatever else they did not pay themselves out of their small savings in England, Scotland, or Ireland, from which they chiefly came. A Venetian sojourner in England in the time of Henry VII was startled at the custom of the people, even in the higher ranks, to send out their children as apprentices, or pupils, or pages, to be brought up in other families than their own. Something of this custom descended, with other old-world traditions, to the colonists of New Hampshire; and apprentices of both sexes were taken into families to learn that kind of labor which the head of the family followed. Such a practice dispensed with the need of slaves, where the labor of

the family did not suffice for its whole service. Another usage was to "change works," — that is, for one farmer or mechanic to help another in his busiest season, the loan of labor to be returned in kind.

So slight was the hold which negro slavery had, that the system silently went out of use after the Revolution, with little notice taken. During the war a few negroes petitioned the state government for their freedom, offering to fight the better against the foreign foe if their request were granted. Probably it was granted in some cases by the just owner of this unjust property; in other cases the nominal tie remained, but the master supported the superannuated slave, rather than throw the cost upon the town; while thriftier masters emancipated the wornout serf, rather than support him. Nor had the yeomanry of the State much sympathy with the wealthy slave-traders of Rhode Island, against whom Webster thundered in his Plymouth oration of 1820, or with the rich slave-masters of the South. When the first agitation to check the extension of slavery came that year (1820) in the form of the Missouri Compromise debate, the representatives of New Hampshire in Congress were mostly for restriction rather than compromise. In March, 1820, the Portsmouth Democrats sent that able Federalist, Jeremiah Mason, to the legislature; he was put at the head of a special committee on the exclusion of slavery from Missouri; reported in favor

of it; and wrote this resolve, which the legislature almost unanimously passed, as indicating the opinion of the State in 1820: "That in the opinion of the legislature the existence of slavery within the United States is a great moral as well as political evil, the toleration of which can be justified by necessity alone, and the further extension ought to be prevented." Both parties agreed in this, and it expressed the sentiment of Webster then. But the political alliance formed in Jefferson's time between the agricultural democracy of the North and the planting aristocracy of the South, calling themselves "Democrats," gradually brought the dominant Democratic party in New Hampshire to the virtual defense of slavery, as a form of society protected by the Constitution. As the agitation for immediate emancipation, begun by a few Quakers in Ohio, and carried on more polemically by Garrison, attracted notice, the New Hampshire Democrats began to denounce and persecute the abolitionists; not so much from love of slavery as from a dread of political mischief. The poet Whittier, who had many relatives and religious associates in New Hampshire, was mobbed there, in company with the English abolitionist, George Thompson; while the more fervid and wild-eyed abolition prophets, like Stephen Foster and Parker Pillsbury, could get mobbed anywhere, and enjoyed it. These were New Hampshire men, and so was a gentler spirit, Nathaniel P. Rogers, friend of Thoreau,

who for years published his "Herald of Freedom" at the state capital. The churches in New Hampshire, as elsewhere, generally opposed the agitation of the question, but occasionally opened their pulpits to abolitionists; and on one such occasion, the anti-slavery preacher was arrested, while at prayer, by a Democratic sheriff, acting, probably, at the suggestion of the sheriff's cousin, Moses Norris of Pittsfield, a party leader, congressman and senator afterward.[1] In these acts of legal or illegal violence the bulk of the New Hampshire people took no part; they abhorred slavery in itself, and were ashamed to be giving it this tacit support.

As in the revolt against the Stuart tyranny, represented in the new Province by the courtier Cranfield and the roistering Barefoot, which began in

[1] The abolitionists did not fail to remind the Democrats of the inconsistency of their support of slavery with their democratic principle of "equal rights." The Anti-Slavery Almanac contained a cut of the poor preacher, dragged from his knees by the merciless Reuben Leavitt (my mother's cousin); and when a coalition of Whigs and independent Democrats had carried the state election in 1846, upon the issue of annexing Texas, Whittier wrote a long satirical poem on the occasion, under the alleged form of a letter from Pierce, afterward President, to his party associate, Moses Norris (another cousin of my mother). It began: —

> "'T is over, Moses, — all is lost!
> I hear the bells a-ringing,
> Of Pharaoh and his Red Sea host
> I hear the Free-Wills singing."

This phrase implied that the "Free-Will Baptists" (a sect numerous in the State) had joined the anti-slavery ranks, which was true. Whittier also introduced Leavitt the sheriff, as troubled with a vision of his praying victim.

Portsmouth, Exeter, and Hampton, so the actual throwing off of the slave-masters' yoke was first accomplished there, and by the posterity of those early planters. The motive of active resistance was not solely a regard for the slave, or an affection for his enthusiastic champions of the Garrisonian school; it was rather what the earlier revolt implied, — an unwillingness to be governed by any but themselves, and a resentment of the irregular ways of their nominal dictators. The counties of Rockingham and Strafford were in 1843–45 represented in Congress by a spirited Democratic lawyer, John Parker Hale of Dover, who had been made district attorney by President Jackson, but was succeeded in that federal office when elected to Congress in March, 1843, by Franklin Pierce, lately retired from the Senate. At Washington Hale had voted against the irregular annexation of Texas by Tyler, the accidental President, and a pro-slavery Congress, and he had addressed a letter to his constituents explaining his action, and asking their verdict. He had already been regularly renominated by his party; but at the dictate of the Democrats of the South, who had just elected Polk President over Henry Clay, Pierce, the party leader in Concord, told his Democratic friends in Rockingham they must "throw Hale overboard," and had another man put on the ticket in his place. This offended the yeomanry of the two counties, who had shown themselves willing to be led, but never

to be driven. Two young lawyers, J. L. Hayes of Portsmouth, clerk of the United States Court, and Amos Tuck of Exeter, meeting at the February term in Exeter, conferred together, and drew up a "call" for a mass convention to support Hale; and this was taken in hand by the jurors and suitors at the court, and widely circulated for signatures throughout Rockingham, among Democrats. In a few days more than two hundred Democratic farmers, merchants, and mechanics, with a few clergymen and lawyers, had signed the call, and the meeting took place on Washington's Birthday, in the same church at Exeter where the legislature had resisted the mob of 1786. It was addressed by Messrs. Tuck and Hayes, and by Professor Hoyt of the Exeter Academy, afterward Chancellor of Washington University at St. Louis, and adopted resolutions which declared: —

"That it is the peculiar duty of the Democratic party to assert at all times the principles of human equality and universal justice, which form the basis of the Democratic faith; that slavery is wholly inconsistent with those doctrines, and an institution which disgraces our Republic in the eyes of the whole civilized world; and that the nomination of another candidate for Congress than Mr. Hale is wholly uncalled for by the people."

At the election a few weeks later, the candidate intruded upon the voters by the party leaders was defeated, and the seat kept vacant until, two years later, Mr. Tuck himself was chosen, — Mr. Hale in

the interval having been promoted to the Senate. Upon this result, quite unexpected by the abolitionists, and due solely to a spirit of independence in the Democratic yeomanry, Whittier wrote in 1845, in a more serious mood than the year following (as quoted), lines of which these are the best: —

"God bless New Hampshire! — from her granite peaks
Once more the voice of Stark and Langdon speaks.
Courage, then, Northern hearts! Be firm, be true;
What one brave State hath done, can ye not also do?"[1]

[1] Every one of the dozen companions of Edward Gove in his demonstration against Cranfield in 1683 was represented in the call for this Exeter mass meeting by descendants; and so were most of those who in 1653 had resisted the disfranchisement of Major Pike. Peculiar is the array in the list of those monosyllabic Saxon names, so common among the early settlers of New England, — Blake, Brown, Cass, Chase, Clark, Cram, Dow, Fogg, French, Gale, Gove, Hook, Hoit, James, Lane, Moore, Page, Rowe, Shaw, Towle, Tuck, Weare, Weeks, York. The more learned or wealthy polysyllabic names were represented by Bachelder, Bartlett, Brackett, Cilley, Dudley, Dearborn, Emerson, Greenleaf, Osgood, Prescott, Tappan, Watson, Wiggin, Winslow, etc. Of the two hundred and thirty-three signers, at least one hundred were cousins, more or less distant, of the present writer, who well remembers the affair, and the excitement it occasioned. Writing the next year, when the anti-slavery victory was more complete, Whittier, in the assumed character of Pierce, and speaking of Charles Atherton, then senator, said: —

"I dreamed that Charley took his bed,
With Hale for his physician;
His daily dose an old 'unread
And unreferred' petition:
There Hayes and Tuck as nurses sat,
As near as near could be, Man;
They leeched him with the *Democrat*,
And blistered with the *Freeman*."

These were the names of the Concord newspapers which were

This action of Democratic New Hampshire was never repented, and was followed ten years later by the organization of the Republican party, upon essentially the same basis that the independent Democrats of the pioneer State had laid down, — hostility to slavery extension, and a refusal to accept the slaveholders as political dictators of a national policy.

When, therefore, the intrepid and pugnacious Hale, in 1845, appealed to the people of eastern New Hampshire to support him in his revolt against the "Concord clique" headed by Pierce, the Democratic voters responded in large numbers. In some towns half the voting strength of the party was found to be for Hale; and so fast did the movement grow, that in the next year an anti-slavery Whig (Anthony Colby), a leading Baptist, was chosen governor by the legislature, which contained enough Whigs and independent Democrats to outvote the regular Democrats. Taking advantage of this fact, John P. Hale and Colonel Joseph Cilley [1] were chosen senators in Congress, —

anti-slavery, — the *Independent Democrat*, edited by G. G. Fogg, afterward minister to Switzerland, and the *Freeman*, conducted in the interest of Whittier's voting abolitionists, the "Liberty Party," which had defeated Clay in 1844, by voting for Mr. Birney, the Kentucky emancipationist. Atherton had been peculiarly insolent in rejecting anti-slavery petitions.

[1] This gentleman was of the family of the Revolutionary General Cilley, and had himself been wounded in a battle of the second English war. He was a brother of Jonathan Cilley, Haw-

the latter for a short term, and Hale for six years. This was the real beginning of the Republican party in the nation; for although that party was not named until 1854, and not fully organized till 1856, its origin and principles were exactly the same that had been rehearsed in New Hampshire in 1846. Nor has the anti-slavery force in any State been better organized than in New Hampshire, under the impulse given by the coalition of 1846; although the agitation of 1850–51 by Clay, Webster, and their associates, to maintain the Union half free and half slave, — as Lincoln said, "a house divided against itself," — did temporarily restore the State to the Democracy under Pierce, with whom Webster finally allied himself, after failing miserably of the presidential nomination in 1852. For in New Hampshire the non-voting, or Garrisonian abolitionists were never numerous, though able and active, and the better elements in both the Whig and Democratic parties came readily into the new crystallization of parties. From 1847 the congressional delegation usually had a strong infusion of anti-slavery sentiment, while the senators, after 1855, were all anti-slavery men, coöperating with Chase, Seward, and Sumner for the restriction

thorne's classmate, who was killed in a duel at Washington, while a congressman from Maine. He had been one of the earliest opponents of slavery in New Hampshire, although his brother, like Pierce, who was in Congress at the same time, was a supporter of the pro-slavery Democracy, as Norris and Charles Gordon Atherton were.

of slavery. The resistance made by the Free-State pioneers in Kansas (1855–58) to the invasion of the Territory by Southern slaveholders and "Border Ruffians" from Missouri was popular in New Hampshire, and not a few of the Kansas settlers, in those disturbed years, were of New Hampshire origin, though often moving into Kansas from some State farther west, to which they had first migrated. The stout partisan leader in Kansas, James Montgomery, though not born in New Hampshire, was the grandson of two soldiers from that Province who fought at Bunker Hill, and his great-grandfather, a Scottish Montgomery, had fought for the young Chevalier at Culloden, and been forced to flee to the Colonies. This Kansas prelude to the Civil War temporarily gave New Hampshire a governor belonging to neither of the great parties organized in 1856 (Ralph Metcalf), but who acted with the Republicans; and the same Kansas excitement destroyed the popularity of President Pierce in the State. He was regarded as having taken sides with Jefferson Davis, his war secretary, in favor of the slaveholder, against his own people; and from the odium consequent on this he never recovered. It is for this reason that the State has refused to commemorate him by a statue, though his portrait at full length hangs in the Capitol.[1] In the division among the Democrats,

[1] Those who came near the good-natured but weak President Pierce at the time say, however, that he made an honest effort

consequent on the course of Senator Douglas in resisting the extreme pro-slavery policy of President Buchanan in Kansas, the majority of the New Hampshire Democrats followed Douglas; but General Pierce and his friends, among them his attorney-general, Cushing of Massachusetts, opposed Douglas, and retained their friendship for Davis, even after he became the head of the Southern Confederacy. Following this lead, a section of their party in New Hampshire violently opposed the subjugation of the South, in the early years of the war, and considerably embarrassed the Republicans and war Democrats by their obstinacy in the matter.

Yet the little State, as in former wars, sent her quotas of men to the front, and as the contest lengthened out, put thousands of men in the field or on board the naval fleets, commanded by brave and skillful officers, who were seldom known to retreat, even from opposing odds.

Among those who raised and commanded regiments of volunteers for the war were a nephew of President Pierce, two of the Congressmen, Gilman Marston and Mason Weare Tappan, T. J. Whip-

to send out capable and honest Democratic governors to Kansas, such as Geary and Walker, of Pennsylvania, though he did not sustain them against the clamors of the slaveholders, headed by Davis, the Secretary of War. Both Geary and Walker, and in the interval, Stanton, an acting Governor of the Territory, got converted from the administration side to the popular cause in these long-continued Kansas troubles. They were sooner or later removed, because they did not sufficiently favor in Kansas the cause of negro slavery.

ple, an eccentric officer of the regular army, and others who distinguished themselves in battle or siege. In the navy, conspicuous commanders were Admiral Winslow[1] of the Kearsarge, which sunk the corsair Alabama; his lieutenant, Thornton, descended from Matthew Thornton, Admiral Belknap, and others. In spite of the protest of leading Democrats at the opening of the war against raising soldiers and voting money, the state government stood firmly by President Lincoln, and the people became more strongly of the Republican party than before the war. In the decisive presidential campaign of 1860, New Hampshire had been the first New England State to declare for Lincoln as its candidate, and the active secretary of the National Republican Committee was Mr. Fogg, who had for fourteen years conducted the efficient weekly organ of the original independents, the Concord "Democrat." Upon the election of Lincoln, Mr. Fogg, who had accompanied him to Washington, and was consulted in the formation of his first cabinet, was sent minister to Switzerland, while J. P. Hale afterward went to Spain, where another New Hampshire man, Horatio Perry of Keene, had long been secretary of legation. The two men were found incompatible in character, and the measures of Hale were thwarted by Perry, whose long residence in the country, and his marriage to a Spanish poetess, Carolina Coronado, had given him great facilities for his course.

[1] Massachusetts born.

After the assassination of Lincoln in 1865, New Hampshire stood loyally by the administration of Johnson, his successor, until he showed himself a disturbing force in the pacification of the South. Then the senators and representatives of the State joined as heartily in his impeachment, and the two senators, in May, 1868, voted with thirty-three others for his conviction upon the articles offered by the House of Representatives; while nineteen other senators, just enough to insure acquittal, voted in the negative. A few of the New Hampshire Republicans took sides with Johnson, but the majority for General Grant, as his successor, was very large, in the election of that year. A few years later, in consequence of the insult to Charles Sumner of Massachusetts inflicted by the Republican majority in the Senate, New Hampshire, where he had of old many friends, elected a Democratic Governor, — the Republican vote falling off and the Democratic vote gaining from that circumstance. In the presidential election of 1872, immediately following, the unique spectacle was seen of one native of the State (Horace Greeley), a candidate of one party for President, and another native (Henry Wilson), candidate for Vice-President on the other party ticket, headed by General Grant. Wilson was triumphantly successful in his native State, while Greeley failed to carry it by a minority of thousands. In the vicissitudes of the Reconstruction period, which lasted for more than ten

years, New Hampshire steadily supported the measures which Sumner and Wilson advocated, and finally carried, including suffrage for the freedmen of the South, and the perpetual prohibition of human slavery. Since 1877, when the questions growing out of the Civil War were practically settled by the administration of President Hayes, new issues have arisen, on which it is needless to dwell in this chapter. Substantially it may be said that all which the independent Democrats maintained at their Exeter meeting of February, 1845, and more than all, had been gained a generation later.

The extension of slavery ceased with the annexation of Texas, which is now through all its wide extent a free State; and slavery itself, which no one then expected to see abolished in his lifetime, is gone, not only from our country, but from the West Indies, from Brazil, and from every country even nominally Christian. Inspired by our example, Russia has freed her serfs, and one sad chapter of human miseries has been apparently closed. It was done at a vast expense of blood and treasure, of which New Hampshire paid her share. Now other chapters of man's inhumanity to man have been opened afresh, and New Hampshire is not without responsibility for the misfortune; but we may well rejoice that (as Thoreau said in his eulogy on his friend, John Brown) our national form of slavery is no more.

CHAPTER XIII

NEW HAMPSHIRE IN THE TWENTIETH CENTURY

THE close of the Civil War found New Hampshire very deeply in debt. She had mustered in more than 30,000 soldiers and sailors during the four years; thousands of them had left their bones in the region where slavery had prevailed, or had reached home broken in health and incapable of self-support; a few had deserted their colors and taken refuge in Canada, or remained at the South. The state expenses, which in the year before the war had been but $175,000, were in its last year nearly $4,000,000; while the taxes, on a diminished population, had gone up from less than $200,000 to nearly a million. The state debt, merely nominal before the war, was now $4,000,000, while the town and county debts were nearly thrice that sum. The valuation of property had nominally increased, because of the inflation and depreciation of the currency, but the actual value of the property was less than in 1861. All this might seem to betoken adversity, but in fact the increase in the earning power of the people soon made good the losses of property. Farms were less profitable

than formerly, but manufacturing industry had gained greatly, and the throng of citizens from other States and countries to enjoy a few months' rest among the hills was every year growing larger. In 1875 this was estimated to bring into the State between $2,500,000 and $3,000,000 yearly, exclusive of the large sum paid for railway travel by the pleasure-seekers. Even in 1862, the English novelist, Anthony Trollope, said that the White Mountain district "contained mountain scenery superior to much that is yearly crowded by tourists in Europe, was reached with ease by railways and stage-coaches, and dotted with huge hotels, almost as thickly as they lie in Switzerland." Since then the facilities for travel and residence there, and among the regions of the lower mountains and the attractive lakes and river-banks and the seashore resorts, have more than doubled. This summer population has extended itself into earlier and later seasons, and there is even a considerable resort of visitors during the severe but wholesome winters. Consequently, the farms are less frequently abandoned, and when this happens, they are often bought by residents for the summer and autumn.

Under a fluctuating and locally variable system of valuation for local taxation, it is difficult to say what is the actual value of property in the State; but the increase since the Civil War may be indicated by a few comparisons. In 1864, at the depth of depression made by the war, the reported valua-

tion was only $129,856,167; twenty years after, it had nearly doubled, — $227,914,613. In the year 1900 it appeared rather less, — $212,687,051, and in 1902 was $350,000 larger. But other forms of property, not subject to local taxation, such as savings-bank deposits, railroad and insurance companies, and the capital of banks of discount and loan companies, had much increased, while the state debt, which was $4,000,000 at the end of the war, had fallen to $1,000,000. The town and county debts still exceed $10,000,000, and the total of state and local taxation reaches nearly $5,000,000; the state expenses, which in 1860 were less than $180,000, now exceed $460,000 annually. The special county expenses for prisoners and the poor are large, in addition to what the State pays for those classes, — exceeding $500,000 yearly. The total outlay by State, counties, and towns for charities and correctional services must exceed $600,000 annually, and the outlay in private charity would bring the total beyond $1,000,000.

These figures indicate, what is well known, that the system of public and private charity has been much extended and developed, in consequence of the great change from a rural population, incidentally engaged in small manufactures, to a population more devoted to the great manufactures, to railroad service, and the care of large estates. This change has brought into New Hampshire a class of recent immigrants and their children, from

several European countries and from Canada, whose families make larger and larger demands on the charity of the public, and that of local and religious societies. Even before the Civil War, this change had led to the introduction of county almshouses and the limitation of ancient pauper settlements, instead of the older method of local relief in each township. But at that time not more than one in twenty of the New Hampshire people was foreign-born, while now the proportion is at least one in four. The change from farming to manufacturing industry is less marked, but more general. The number of farms reported in 1850 and in 1900 was nearly the same (29,229 and 29,324), but the number of acres had increased in the half-century more than 200,000, showing there were more great farms. But the improved acres fell from 2,251,488 to 1,076,879, — showing that more than a million acres, cultivated in 1850, had gone back to pasturage and woodland in 1900. The farm property had increased in value about 29 per cent., the value of farm products remaining much the same. But when we turn to the manufactures, a great increase is seen in the half-century. The capital employed and the value of the product were more than five times as much in 1900 as in 1850; the wages paid were between four and five times as much; while the average number of wage-earners grew from 27,092 to 72,612. Manufacturing has thus become the leading interest of the State, while before the

war, farming was much the foremost interest. It is true that a tenth part of this manufacturing deals with products of the improved or unimproved land in the farms, and employs thousands of persons in outdoor labor; but the greater part of the persons employed are in large factories or workshops, and the tendency is to concentrate them in cities more and more. This gives the matter a social and political importance it would not otherwise have, since it establishes a conflict of interests between the cities or larger towns and the scattered population of the small towns. It also accumulates the people of foreign birth and parentage in a comparatively small number of municipalities, and throws upon those the burdens induced by illiteracy, unsanitary habits, and religious divisions, from which the majority of the towns are measurably free.

Naturally, the persons of foreign parentage, whether born abroad or in the State, are more likely to be children and youth than adults and voting citizens. Thus, of 110,895 persons of school age in New Hampshire in 1900, 52,676 were of foreign parentage, — nearly half. But of the voting age, out of 130,648 men, only 48,265, or a little more than one third, were of foreign parentage. Yet of these 9039 were illiterate, — almost one in five; while of the 82,383 men of native parentage, only 1256, or one in 66, were illiterate.[1]

[1] In 1820, when the population was 244,161, the occupations of 62,141 inhabitants were reported; of whom more than five sixths

Among the whole population in 1900 (411,588), only 243,300 were of native parentage, while (52,384) were in agriculture, not quite one seventh (8699) in manufactures, and a little more than one sixtieth (1058) in commerce. Eighty years later, the population having increased to 411,588, the number of occupations reported was more than twice as great as in 1820, — of whom those on manufactures were more than 77,000, including owners of the 4671 establishments; while, although the number of farms had much increased since 1820, only about 50,000 were engaged in agriculture. This includes, of course, many of those persons who are also engaged in forestry and lumbering; since by estimate 5200 square miles, out of 9005 of the land surface, are said to be in woodland, while the farms reported are only 5640 square miles. A comparison of these figures will show that at least 1500 square miles are both covered with wood and included in the farms. The forest products rated as farm products are not given in the census tables, but must have exceeded $500,000, or an average of $20 for each of the 30,000 farms. The reported "forest products" were valued in 1899 at about $2,300,000.

In the first census taken after the Civil War, the whole number reported in occupations was 120,568; of these, the number in manufactures was 46,533, in agriculture 46,573, in professional and personal service, 18,528, in trade and transportation, 8514. Here, as the women in agriculture reported were but 11, it is plain that the number 46,573 is too small; since every farm of the 29,642 counted, must have had at least one woman, by average; while of the personal service women (9707), at least 1000 must have been domestics on farms. It is therefore probable that the real aggregate engaged in agriculture was not less than 77,000 out of 151,000 who should have been reported. In 1900, the number reckoned on the same basis was perhaps 70,000, — the farm labor being done by machinery and in creameries, etc., off the farms, to a much greater extent than thirty years before. Probably, then, out of some 200,000 whose occupations should have been reported in 1900, a little more than one third were agricultural, where, eighty years before, five sixths were so.

In the valuation and debt tables of General Walker's census

168,290 were either foreign-born (88,074) or of foreign parentage born here. Thirty years before, in a population not quite 100,000 less (318,300), the foreign-born were but 29,611, and those of foreign parentage born here, 44,592. Thus in one generation the foreign-born in New Hampshire have trebled, and those of foreign parentage considerably more than doubled, — from 72,203, increasing to 168,290. In six cities, Berlin, Concord, Keene, Manchester, Nashua, and Dover, where manufactures are the leading interest, more than 82,000 are of foreign parentage, while only a little more than 49,000 are of native stock.

To preserve some ratio to the increase of urban inhabitants, and yet to retain political power, at least nominally, in the rural towns and larger villages, the State Constitution has been several times slightly amended, and provision is now made that the additional representation due to increase of population shall be one for every 1200 inhabitants;

of 1870, the New Hampshire figures are curious, and show the influence of the Civil War in swelling taxation and inflating the currency. He estimated the "true" valuation of property in the State at $252,624,000, as against $156,311,000 in 1860, and $103,653,000 in 1850. But the taxation, general and local, which was but $1,261,866 in 1860, had swollen to $3,255,793 in 1870; and the public debt (very small before the war) had grown to $11,153,373, or $35 *per capita* for every man, woman, and child; besides their share of the national debt, which was then $2,406,562, — or $7.50 *per capita*. That New Hampshire has reached her present prosperity in the face of such facts shows the vigor of her people, as well as the general progress of the nation.

while every town or ward having 600 shall have one representative, and towns of smaller size shall be represented as often in twelve years as their population bears a ratio to 600. Thus a town of 100 will have a representative once in six years, and one of 500, five years in twelve.

The Senate remains fixed at twenty-four members, and the Council at five. As an additional check on illiteracy in the mass of the people, the new amendments provide for reading and writing as a qualification for voting; and it will be lawful hereafter to tax franchises as well as property. A general valuation by town inventories is to be made every five years. More important in theory, and perhaps to be made operative in practice, is a new provision denouncing "monopolies and conspiracies which tend to hinder or destroy free and fair competition;" and declaring that "the size and functions of all corporations should be so limited and regulated as to prohibit fictitious capitalization; and provisions should be made for the supervision and government thereof."

This is an intimation that the recent control of legislation and appointments in New Hampshire, alleged to reside in a single corporation (the Boston and Maine Railroad), will not be allowed to grow into a permanent feature of the government. It is a significant change in the state policy that while in the years about 1840, when the first railroads were building, the legislation was unfriendly,

and many evils were predicted, should corporations succeed in establishing themselves firmly in New Hampshire, now the legislation and administration have for many years been favorable to corporations of all kinds. Some of the evils prophesied are beginning to be feared again, and hence the warning sections of the amended Constitution.

Another great change has occurred regarding the laws to regulate the sale of liquor. New Hampshire was one of the first States to follow the example of Maine and Massachusetts in enacting prohibition of such sales, except for medical and mechanical uses; and the strictness of these laws was kept up in name long after their violation was frequent in fact. At last, after a referendum vote on the question, indicating majorities for a license system, such as had long prevailed before 1855, the legislature of 1902 passed a liberal licensing act, which is now on trial, with very different results in different communities. It will bring a considerable revenue, but will perhaps be accompanied, as a like system has been in Massachusetts, by a large increase in vice and crime.

So far as education is a barrier to crime, New Hampshire may be said to be now better protected than ever. The teaching of children in the common schools is carried farther and improved in its methods; while the higher education of boys and girls is endowed and promoted much better than formerly. Dartmouth College was never so much

frequented by students as for the past five years, nor ever so well prepared to carry on their instruction. Technical education has been undertaken by the State at an agricultural college in Durham, endowed by a wealthy citizen of that small town; and the ancient Academy at Exeter, a few miles farther south, has greatly enlarged its buildings, resources, and number of students. It now gives a more advanced education than Dartmouth did in the days of Webster, Chase, and Choate, and to twice as many young men. The higher education of girls is provided for in numerous seminaries, high schools, and academies; many of the older schools of that name having now been opened to the public as local high schools. Public libraries, also a wonderful aid and stimulus to education, are everywhere gaining both in number and excellence, maintained as public gifts, but more frequently owing their existence to private endowment. Of late the State has encouraged the formation of free libraries by a small grant in aid. Their whole number at last accounts was 230, and they were established in 225 cities and towns.

The average length of the school year in days has been doubled in New Hampshire since 1870, being then but 70 days, and in 1902 140 days. The expenditure for public and private schools has also more than doubled, being less than $450,000 in 1870, and now more than $1,100,000. The whole enrollment of pupils in 1902 was 78,793, of

whom a little more than one seventh were in private schools. The estimated value of all the public school property is from $4,000,000 to $6,000,000, and if the private school and college property is added, the total would exceed $6,000,000. The State itself carries on the education of its blind, deaf, and feeble-minded children, chiefly at establishments in Massachusetts; and has recently cared for the maintenance of pauper children in families at the expense of the several counties, — all this under the direction of an efficient Board of State Charities. A State Conference of Charities aids in this work.

The development of a system of public charities in a small State, that till forty years ago was mainly rural, must naturally be very unlike the same in States of dense population and great wealth. In one respect, the care of the insane, New Hampshire has been well abreast of the advancing movement. Its one hospital for the treatment of acute cases and the restraint and comfort of the chronic, built at Concord more than sixty years since, has been fortunate in the skill, experience, and long service of its management. It still enjoys the services of a veteran trustee, Mr. Walker (a descendant of the founder of Rumford, Rev. Timothy Walker), who has been for more than half a century in office. The two superintendents, father and son, Drs. J. P. and C. P. Bancroft, have successively directed its medical service for as long a

period, and have added to its wards and improved its classification, with a steady regard to humanity and good sense not always found in such establishments, where vague theory and costly experiment have too often gone hand in hand, with little benefit to the patients or the public.

This New Hampshire State Hospital was originally founded by the donations of individuals combining with a state appropriation, and its Board of Trustees then contained an equal number representing the private donors and the State. Recently the private donors withdrew from the board at the request of the legislature, with the privilege of withdrawing their gifts also; but though withdrawing from representation on the board, they chose not to remove their donations. The State then assumed entire control of the hospital, as well as exclusive ownership of the property. Somewhat later the whole question of state ownership was raised by the legislature of 1899, and a resolution passed requesting an opinion from the Supreme Court, whether, as owner of the hospital and its funds, the State's title is a fee simple or "charged with trust." The court decided that the State possesses absolute ownership with complete control of the property.

When the question of public care for the insane was first agitated, seventy years ago, an impetus given to the general interest by the activity of many benevolent persons in different counties led

to considerable private donations, which have been carefully preserved. The income from this source has defrayed the expense of many patients with moderate means, who would otherwise have been objects of public charity. These funds now amount to $300,000. It is certain that the position of this State Hospital is unique, in that it has such large funds well invested, the income of which aids those who pay all they can toward their support, rather than become wholly a public charge.

In reviewing the history of this hospital, the first of the distinctly state establishments for the dependent classes (the State Prison, which was earlier organized upon a sound principle, being for delinquents), one is struck with the early and constant interest taken in its foundation and management by the leading citizens of the State. It was first recommended by Governor Dinsmoor in 1832, strongly urged for years by the leading physicians and professional men, and actually opened in 1842, with room for 100 patients, out of a supposed insane population in New Hampshire of 500. On its board of management have served governors, senators, and congressmen, and for a time President Pierce, before he was chosen to the presidency. It has pursued a steady policy, always a little in advance of professional opinion in the country at large, and has secured large endowment from citizens of the State, — a good indication of its high character. At present it has room for some 500

patients, in buildings much less costly than most of such hospitals, and yet quite equal to others in comfort and classification of inmates. It has only of late been exclusively a state establishment, subject to the vicissitudes of party politics; but its trustees have drawn its resources from private citizens, from towns, counties, and the State, — its receipts from the taxpayers being now between $50,000 and $60,000 a year, in an outlay of some $200,000. This has relieved it from the embarrassing dependence on votes of the legislature, which often restrict the efficiency of such hospitals, and may yet do so there under the new policy.

There can be no strict separation between the dependent insane and the mass of the public poor, for of all the causes of permanent pauperism in New England, insanity is one of the largest and most constant. The poor laws of New Hampshire were inherited from England, but modified by the needs of the colonists, and at first left the support of the poor wholly to the towns. Paupers were few during the first two centuries, much of the distress occurring being relieved by neighborly aid without the stigma of pauperism attaching to the recipients. But before 1843, with the growth of manufactures inviting a foreign immigration, the number and cost of the public poor began to increase, showing itself first in the county expenses for such as had no lawful "settlement" in any town. The careful and frugal state authorities in 1843 required a return

from the ten counties — Belknap and Carroll having been recently organized — for the five years, 1839–43, of the county cost of the unsettled poor; and it appeared that in 1838–39 this did not exceed $10,000. In 1842 it had grown to be nearly $30,000, — the manufacturing county of Hillsborough alone expending $7000, or two thirds of what the whole State paid a few years earlier. At that time (1842–43), the state population being about 300,000, the towns did not pay more than $80,000 for their poor, and the whole cost could not have exceeded $120,000. In 1902, the population having reached 420,000, the towns still paid $148,000 for outdoor relief, to which the counties added $61,000, while the indoor relief, or almshouse cost, by the counties, was $135,000. This shows a total of nearly $350,000, where sixty years earlier little more than a third had sufficed; and by that time (1902) at least half the public poor were of foreign parentage, and a third of them foreign-born. Great differences exist among the counties in this respect. Those with a rural population have fewer indoor poor, and those having a manufacturing population (notably Hillsborough) have many poor, and among them a disproportionate number of the insane. Thus in 1892 Hillsborough, with less than 300 inmates of its new and well-built county almshouse at Grasmere, near Manchester, had more of the foreign-born than of natives, and more than half were rated either insane or idiotic; while

Carroll, in the mountain region, had only one in nine of foreign birth, and less than one in three who were insane. Of the foreign-born, about two thirds are Irish, one fifth Canadian French, and one tenth British. Of the prison population, an average of less than 500, about the same ratio are Canadian, but the other foreign-born are less in proportion.

Intermediate between the almshouses and the insane hospital and prisons are three other establishments, none very large, — the Industrial School at Manchester, founded in 1855 for young offenders, male and female; the Orphan Asylum at Franklin, on the farm of Daniel Webster; and the new school for the feeble-minded at Laconia, containing in all three less than 500 children and youths. Only the first and last are maintained by the State, the Orphan Asylum being mainly supported by private funds and the income of gifts. Each in its way, these are excellent establishments; the last named is a model for thorough care and sanitation, combined with frugality, and the other two have the same general character.

The county almshouses (the tenth having been rebuilt since it burned down) have not had the same good reputation as the State Charities; but they have been much improved in the past ten years, and are not likely to fall back into the condition of most poorhouses before the National Conference of Charities, now for thirty years in

existence, raised their standard in the nation at large. In New Hampshire the State Conference of Charities has done much to remedy the neglects from ignorance, and a few abuses. The character of the people is fundamentally charitable, and a guaranty against serious mismanagement.

In penitentiary discipline, New Hampshire was one of the first States to adopt modern ideas, under the direction of the Pilsbury family, who for three generations managed prisons on the Auburn plan in Connecticut and New York, as well as in their native State. It was the most eminent of these disciplinarians, Amos Pilsbury, who trained in his youth that man of genius, Mr. Brockway of Connecticut, to whom the world owes the most effective system for young felons now in use at Elmira and other reformatory prisons. The small State Prison at Concord no longer stands in the front rank, yet is of fair reputation, and a useful adjunct to the correctional system of county prisons. A workhouse for misdemeanants is much needed for those now sentenced to almshouses. The yearly cost of the prison system may be estimated at $60,000. The judiciary of the State stood high when its justices were country gentlemen and clergymen, for the most part; it rose to eminence in its decisions, when the great lawyers of the older counties, Mason, Plumer, Livermore, Smith, Webster, Sullivan, Woodbury, Richardson, etc., adorned the bar and bench, before 1830. It has well maintained its

standard since, but not relatively, perhaps, though its decisions have seldom been overruled since the Dartmouth College case in 1817. In one marked instance, twenty-five years later, the state court declined to modify its decision when reversed by the national Supreme Court, and that august body afterward took the New Hampshire view of the case, when Judge Woodbury had succeeded to Story's place on the bench.

Whether the influence of wealth, aggregated in railroads and other corporations, has affected the judiciary in New Hampshire, as it occasionally does in Vermont and New York, is a question ; but there can be no doubt that the State has suffered in its political morals by the growth of corporations. The governors in 1840–45 were wise in their warnings against endowing such aggregations of wealth with peculiar privileges, not granted to partnerships or individuals. Governor Hubbard, an eminent lawyer, and originally a Federalist, in his addresses to the legislature (1842–43), expressed opinions too little regarded of late, even in communities where property is distributed so equally as it has been in New Hampshire and Vermont. He said : —

" The great design in the constitution of free political communities is, to protect the weak from the encroachments of the strong; to defend the impotent from the influence of power, and to sustain the whole people in the enjoyment of their liberty and equality. The principle that individual property shall not be taken, except

for public use, is, in a republic, the surest guaranty of individual independence. The tendency of our legislation is to disregard individual rights. The authority to establish private corporations cannot give to the representative body of the people any new power over the private rights of individuals. Highways are the work of public corporations, and are wholly distinguishable, in their character, use, and purpose, from ways wrought by individuals or private corporations. These are constructed for private benefit, with private means; of this description are the railroads. The public are shut out from a participation in their government and direction. Upon such a corporation power cannot be conferred to take individual property for its use without the owner's consent."

This exact issue, being raised in Governor Hubbard's time, was then decided in accordance with his view; but now other doctrines seem to prevail for what are called "semi-public" corporations, like railroads, whether for steam or electric locomotion. And it has been found that, though the public may be "shut out from participation in the direction of railroads," railroads are not shut out from the direction of government. They have had too much influence for thirty years in aiding or thwarting the political fortunes of the ambitious; and they seem to have taken advantage of the growing evil of vote-buying, to influence the choice of legislators and their action when chosen. A perception of this doubtless gave occasion for an amend-

ment to the State Constitution adopted in 1903. In the years of Governor Steele, who followed Hubbard (1844–45), he expressed similar opinions more pointedly. He was a "poor white" from North Carolina, who had migrated to Peterborough, and by his mechanic skill and financial faculty made himself independent in fortune, as he naturally was in mind. When governor he said (1844): —

"I know of no valid reason why associated wealth in any form should enjoy by law privileges or exemptions which are denied to partnerships or individuals."

(1845.) "The granting to combined wealth of exclusive privileges or immunities would, ere long, raise the grantees above the grantors; and corporate bodies would soon usurp the power, without possessing the dignity or personal responsibility of the landed and titled aristocracy of Europe. . . . Grant protection to all who ask it, and in the end many sections of our country, if not all, will present the sad spectacle of inordinate wealth on the one hand, and squalid poverty on the other, — *of a people bought with and scrambling after their own money: a Congress changed into a board of assessors*, and the Executive Department presided over by the man who promises most to his own supporters."

There are many who think that we have already attained the position thus depicted by this democratic moralist. He was then considering the existing tariff, which was but moderate in its taxation of the consumer for the enrichment of the manu-

facturer, compared with the rates now existing. These rates New Hampshire before the Civil War would have resisted by great majorities; now she seems to favor them.

No doubt the disproportion between wealth and poverty in the State increases, not only among those resident the whole year, but among the rich families from other States (who buy large tracts and reside on some corner of them for a few months in the summer) and their laborers and dependents. One such estate, of enormous extent for New Hampshire, exists on the borders of Sullivan and Grafton counties, devoted to a park for beasts of the chase. It was purchased about 1870 by the late Austin Corbin of New York, contains 25,000 acres, and has cost half a million. Among its wild denizens are 150 buffaloes, 300 wild boars, twenty or thirty moose, and thousands of smaller beasts and birds; while a few families of men and women care for the interests involved. As a museum of natural history and a forest preserve, this adds to the attractions of the State. Other tracts of less extent, but still large, are owned by rich men or by companies for the supply of wood-paper, or other uses of the timbered regions in the mountain district. In the wood-pulp manufacture alone, twenty proprietors (firms or individuals) have 29 establishments, with a capital valued at more than $8,000,000 and employing nearly 2500 men and women, whose annual product exceeds $1,250,000. Including this

new interest, the whole value of the timber and wood-working capital is $20,000,000, vested in 5800 establishments, great and small, and employing 6600 hands, chiefly men. The annual product of this varied industry is placed at $17,000,000, or nearly as much as the capital invested, which capital has increased by ten millions in twelve years. Impelled by this growing exploitation of the forests, the State has created an intelligent forestry commission, whose report indicates what is doing to destroy, and what may be done to preserve, this ornament and treasure of New Hampshire. Its first report declares that the area in the State now covered with foliage, including much that has no present value, is larger than at any time since 1850; and that, though valuable timber and fuel have been cut off and many forest fires occur, there has been no perceptible decrease of rainfall, or loss of water power, — the latter being the greatest single resource of New Hampshire, especially since the applications of electricity to industry. This is more encouraging than there was reason to expect, and the measures proposed to reforest the denuded regions will perhaps keep good this condition.

It is shown that the capital invested in "summer property" (hotels, boarding-houses, pleasure-boats, and carriages, etc.) is but little greater than in the wood-pulp industry, though employing many more persons, and providing for 175,000 guests in an average year. Out of 235 towns in the State, 204 share

in this interest. With a capital of $10,500,000, it pays $540,000 in wages to 12,350 persons, and furnishes a gross income to railroads and transportation companies of more than $700,000. Its own gross income approaches $7,000,000, and increases in magnitude each decade. The connection between it and the railroad corporations, particularly the Boston and Maine, gives popular strength to them and to similar investments of wealth. The state government for some years past has aided the influx of summer guests by building state highways and protecting the public rights, in lakes and streams for fishing, against the encroachments of private owners.

Altogether, it may be said that the material interests of New Hampshire, and its higher civilization, as shown in education, charity, and the encouragement of literature, were never more prosperous or advancing than now. Its moral interests are somewhat imperiled by the influence of unscrupulous wealth and irresponsible poverty, developing a proletariat in the place of that historical yeomanry, whose possession of landed property gave assurance that government would not get beyond the control of families who had, as their ancestors used to say, "a stake in the country." The scale of political rectitude in state affairs has been lowered, and the purchase of voters, which fifty years ago was almost unknown, is now alleged to be a general custom. Coincident with this, the eminence of men at the

head of the government, of congressmen and senators and leaders in the legislature, is less noteworthy than in the first half of the last century, — a fact illustrated by the admirable collection of portraits at Concord, in which New Hampshire excels most of the States. No men of such mark as Langdon, Plumer, and Woodbury have lately been governors; no senators have equaled Mason, Pierce, and Hale; few congressmen have ranked with Webster, Bell, Atherton, Norris, Tuck, and Wilson. The naïve remark of a country member to John Langdon, when the courtly governor, in 1810, was telling the legislative committee that "he distrusted his own ability to perform the high duties of the office," has more than once been strictly verified. "O Governor," said the encouraging rustic, "don't be afraid! it does n't take much of a man to govern New Hampshire."

Yet in the vigor of its soldiers, the enterprise of its men of affairs, and the active genius of its whole population, seeking fields of activity in other States and countries, New Hampshire is as marked as ever. Its institutions, if threatened by the sordid spirit of a too commercial age, are still supported by a courage and independence in the mass of the people, such as threw off the yoke of the Stuarts in the seventeenth, and of King George in the eighteenth century. That sturdy compound of English obstinacy, Scotch pugnacity, and Irish ingenuity, which carried the Colony, the Province, and the

youthful State through its perils by land and sea, and among false brethren, yet makes the foundation of its community; and self-reliance, forged and tested in the wars and toils of three centuries, is the lasting fibre of its individual character.

APPENDIX

THERE have at last been discovered, in a library at Colerain, Massachusetts, the long-lost papers of the Weare family, whose members, for a hundred years, though seldom holding the highest offices, were the most important to the good government of the Colony, the Province, and the State of New Hampshire. How complete the collection is, this edition cannot be stayed to declare authentically; but, taken in connection with those possessed by the State in its archives at Concord, many of which have been printed, and with those in the possession of the Massachusetts Historical Society in Boston, there must be enough to make a volume of several hundred pages. The new find is of some 500 separate papers, including some of all kinds: letters, petitions, wills, land-titles, public documents, lists of soldiers, reports of trials and hearings, etc., from 1683 or earlier, down to 1815. Some of these valuable papers were missing as early as 1750, when they came into the hands of the last of this line of officials of distinction, Colonel Meshech Weare, afterwards chief justice of the Province and the State, and President until shortly before his death in 1786. His life and character are discussed on pages 210–211, 217, and 278–283. His grandfather, Nathaniel Weare, the first of the family in New Hampshire (mentioned on pages 107 and 154–156), was no less important in his day, though for a less number of years;

and the newly found papers begin with him, in his mission to England in 1684–85 to unseat Governor Cranfield, which he accomplished. Some of them were used by Dr. Belknap, and were printed by him and his editor, John Farmer, — but then the originals disappeared. It seems they passed in part into the keeping of Colonel Weare's son Nathaniel, clerk of the Rockingham courts over which his father had long presided, who lived in Deerfield. They were overlooked or forgotten by his descendants, and when his old house was sold, some time in the last century, they were found by the new owner, Mr. Cram, in the attic, and carefully preserved. Mr. Cram's son, Dr. John W. Cram, of Colerain, is now their owner; a few have been dispersed, but the bulk of them remain, and will probably soon pass into the possession of the State authorities and the town clerk of Hampton Falls, where Colonel Weare was born and died. They will be found to add new particulars to the history of that town, written by Hon. Warren Brown, and to any future edition either of this History of mine, or of the more copious three-volume work of Dr. Belknap. They providentially came to my knowledge at Greenfield, Massachusetts, October 17, but I have not since had the opportunity to examine more than one or two of them, in time for this second edition of my History.

F. B. S.

Concord, Massachusetts, November 13, 1908.

INDEX

Abbot, Dr. Benjamin, 242.
Abenaki Indians, document of, 137; raids of, in New Hampshire, 138, 140; treaty with, 140.
Abolitionists, attitude toward, in New Hampshire, 302; non-voting, not numerous in New Hampshire, 308.
Adams, Benjamin, patriotic act of, 223, 224; in insurrection of 1786, 238.
Adams, Brooks, quoted, 52.
Adams, Charles Francis, quoted, 31 n.
Adams, John Quincy, attitude of, toward New Hampshire Constitution (1787), 239.
Albany, Congress at, 210.
Allen, Samuel, claims of, in New Hampshire, 77, 78; Province of New Hampshire sold to, 114; named governor of New Hampshire, 156; denial of claims of, 157, 158; attempts to compromise with, 160.
"Alliances," purpose of the word in declarations of independence, 219.
Almshouses, New Hampshire, 328–330.
Ambrose, Alice, sentence against, 51.
Andros, Sir Edmund, 83, 104; arrival of, 113; spoliations of, 129; Indians quieted by, 140; imprisonment of, 141; Saint-Castin plundered by, 142.
Anglican Church. See England, Church of.
Appeal, denial of, 158.
Apprentices, custom regarding, 300.
Aristocracy, tendency toward, 28; revival of instinct of, 273.
Ashurst, Henry, 81.
Atherton, Charles, Whittier's lines on, 306 n., 308 n.
Atherton, Joshua, 231.
Atkinson, Theodore, refusal of, to give up records, 162 n.; part of, in attack on Louisbourg, 177; delegate to Congress at Albany, 210.

Bacalaos, Basque name for codfish, 1.
Bachelder, Susanna, grandmother of Webster, 284.
Bachiler, Stephen, pastor of the Company of the Plough, 19, 20; arms of, 19 n.; arbitrator in dispute over Lygonia, 21; attempt at colonization by, 21, 35; missionary at Portsmouth, 23, 41; descendants of, 35 n.; inveigled into marriage, 130; career of, 284 n.
Baker, Alice, 147 n.
Baker, Mark, 99.
Baker, Captain Thomas, offices held by, 146, 147.
Baltimore, Lord, 56.
Bancroft, Dr. C. P., 325.
Bancroft, Dr. J. P., 325.
Baptists, Puritan injustice toward, 62.
Barefoot, Walter, first record of, 24 n.; Quakers released by, 48, 52; Puritan domination resisted by, 52; Puritan prejudice and charges against, 69–71, 126; legacy of, 71 n.; Mason claims championed by, 66, 68; charges of Littlebury against, 66, 67; forced to return to England, 73; moderation of, 85; illegal acts of, as Randolph's deputy, 92, 93; efforts of, against contraband goods, 96; made acting governor, 105; government of, 110; maltreated by Wiggin, 110–112; powers of, superseded, 113; arrest of, 125, 126.
Barillon, plea of Halifax reported by, 107.
Barlow, Robert, 58.
Barnard, Mr., of Andover, ordination sermon of, 186.
Barré, Colonel, quoted, 198.
Basque fishermen, 1.
Bay Colony. See Massachusetts.
"Bay horse," nickname for Boston, 16.
Belcher, Jonathan, governor of Massachusetts and New Hampshire, 166; faction formed by, in New Hampshire, 167; removal of, 171.
Belknap, Admiral, 311.
Belknap, Rev. Jeremy, belief of, in Wheelwright Deed, 164 n.; quoted, 222, 340.
Bell, John, elected governor, 253.
Bell, Samuel, governor of New Hampshire, 251; Toleration Act favored by, 254.

Bellomont, Lord, governor of Massachusetts and New Hampshire, 157.
Bellows, Colonel, escape of, from Indians, 196.
Bennington, grant of, given by Wentworth, 202; battle of, 216; trophies of, 226.
Berwick, original name of, 5.
Binckes, Bryan, 18.
Blaithwait, Mr., proposal of, concerning Mason, 76.
Blanchard, Thomas, captured by Indians, 183.
Board of Trade and Plantations. See Lords of Trade.
Bollan, Mr., 190 n.
Boston, early nickname of, 16.
Boston and Maine Railroad, allegations against, 321.
Bosville, Mr., 34.
Bound House, 57, 62.
Boundaries, rights of property not lost by change of, 188.
Bow, proprietors of, 178; grant of, 187.
Brackett, Anthony, 40.
Bradstreet, Simon, letter of, to Randolph, 79, 80; of moderate party in Massachusetts, 85.
Branding, as punishment for felony, 132.
Bribery, commonness of, 31, 36.
Brockway, Z. R., debt of Elmira to, 330.
Brooke, Lord, 34.
Brown, John, 190 n.
Brown, Margery, wife of John Sullivan, 181.
Browne, Rev. Arthur, 195.
Buchanan, President, policy of, in Kansas, 310.
Buckingham, Duke of, assassination of, 2.
Bulkeley, Rev. Peter, 35 n., 85.
Bunce, Sir James, 56.
Bunker Hill, New Hampshire men at battle of, 213, 214.
Burdet, George, reception of, at Dover, 9.
Burgoyne, invasion of New York by, 215; defeat of, by Stark, 216.
Burnet, William, 166; prejudice of, against Puritans, 167.

Cabot, John, 1.
Camock, Captain Thomas, 4, 16.
Canada, French explorers in, 1; incursions from, 141.
Carlyle, Thomas, Webster described by, 285.
Carr, Robert, royal commissioner, 53, 59, 62, 64, 72.
Cartier, Jacques, 1.
Cartwright, George, royal commissioner, 53, 59, 72.
Casco, Company of the Plough diverted from, 19, 20; Bachiler called to, 41.
Cass, General, 298.
Chadbourne, Humphrey, 16, 54.
Chalmers, George, opinion of, on Mason claims, 78, 79.
Chamberlain, Richard, royal secretary of New Hampshire, 15 n., 90; character of, 92; censured by Cranfield, 94; made clerk of courts by Andros, 113; belief of, in "stone-throwing devil," 133, 134; records taken from, 162, 163 n.
Champernown, Francis, estate of, 8; associated with Thomas Gorges, 23; money advanced to, by Barefoot, 24 n.; Puritan domination resisted by, 51 n.; petition of, against Massachusetts usurpation, 53, 54; Littlebury's charges against, 67; appointment to counsel by James II, 68; treaty of, with Indians, 140.
Chanceller, James, 24 n.
Charity, increased demand for, in New Hampshire, 316, 317; development of system of, 324.
Charles I, fondness of, for arbitrary government, 11, 14.
Charles II, New England patents granted by, 2; action of, regarding Quakers, 53; royal commission appointed by, 59, 60; commission recalled by, 64; laws passed by New Hampshire (1680) disallowed by, 93.
Chase, Salmon P., Chief Justice, 298.
Child, Sir Josiah, 80.
Church, the, an element of Puritan political life, 23.
Church members, privileges of, 22.
Cilley, Jonathan, killed in duel, 307 n.
Cilley, Col. Joseph, at Saratoga, 227; in insurrection of 1789, 238.
Cilley, Col. Joseph, elected to U. S. Senate, 307.
Cincinnati, Society of the, New Hampshire, 236.
Claggett, Wyseman, 217.
Clements, Job, member of first royal Council of New Hampshire, 90.
Clergy, Randolph's opinion of the Massachusetts, 88; Cranfield's statement regarding, 96; attitude toward, in Massachusetts, 152, 153.
Clergy, benefit of, 132.
Cobbett, Thomas, 154.
Codfish, Basque name for, 1.
Coffin, Peter, 91.
Coke, Sir Edward, opposition of, to grants to Gorges, 27.

Colby, Anthony, elected governor of New Hampshire, 307.
Colcord, Edward, 165 n.
Colcord, Peter, captured by Indians, 183.
Cole, Eunice, 121.
Coleman, Anna, sentence against, 51.
Coleraine, 339, 340.
College graduates, attitude of, toward Revolution, 231, 232.
Colmer, Abraham, 67 n.
Colonization, parliamentary doctrine of, 28.
Committee of Safety, New Hampshire, 211, 220.
Committee of Supply, New Hampshire, 220.
Company of the Plough, grant of land to, 18; disasters to, 19, 20; disputes concerning patent of, 20, 21. See also Plough, ship.
Concord, Mass., Emerson on town records of, 120.
Concord, N. H., contest over grants in, 173, 178, 181, 184–186; disfranchised, 188; anti-slavery newspapers of, 306 n.; insane hospital at, 324–327; state prison at, 330.
Congregational clergy, claims of, 253, 254.
Continental Congress, New Hampshire delegates to, 210; opposition of Wentworth to, 211.
Cooke, Elisha, 81.
Copley, Colonel, estimate of Randolph by, 83.
Corbet, Abraham, imprisonment of, 64.
Corbin, Austin, estate of, 334.
Coronado, Carolina, 311.
Corporations, laws regarding, in New Hampshire, 321; dangers of, 331–333.
Cotton, John, 4.
Cotton, Seaborn, 121.
Council for New England, 3, 68, 112; move to dissolve, 36, 37.
Counterfeiters, 130.
Counties, New Hampshire, named for Wentworth's English friends, 206.
Cradock, Matthew, vessels of, held, 36.
Cram, Dr. John W., 340.
Cranfield, Edward, failure of, to maintain Mason's claims, 76; effect of tyranny of, 79, 80, 98; powers of, 92, 97, 98; arrival of, at Salem, 93, 94; ancestry of, 94 n.; Mason and Chamberlain censured by, 94, 95; Mason supported by, 96; alarm of, at Gove's demonstration, 100; fast day named by, 103, 104; fall of, 105, 106; suits brought by, 106; petition against, 107; rebuked by Halifax, 108; goes to Barbados, 109; king's instructions to, 128, 129; unseated, 340.
Crime, uncommon in early history of New Hampshire, 127.
Crisp, Sir Nicholas, 56.
Crispe, John, 18.
Currency, regulation of, 129.
Cushing, General, Douglas opposed by, 310.
Cutt, John, Champernown's petition against, 53; moderation of, 85; named president of council for New Hampshire, 89; fast proclaimed by, 134.
Cutt, Richard, Champernown's petition against, 54; relations of, with royal commissioners, 71, 72.
Cutt, Robert, 54.
Cutt, Ursula, killed by Indians, 145, 146.
Cutts, Samuel, 218.

Dalton, Samuel, member of first royal Council of New Hampshire, 90.
Danforth, Thomas, 64.
Daniel, R., quoted, 134.
Dartmouth College, origin of name, 207; Governor Wentworth's aid to, 207; attractions of, 242; effort to reorganize, 251, 252; growth of, 323.
Davis, Jefferson, 309, 310 n.
Deane, Charles, quoted, 75.
Declaration of Independence, New Hampshire's, 218.
Deering, origin of name, 207.
Democratic (Republican) party, in New Hampshire, 245, 246, 250–254; attitude of, toward slavery, 302, 303; Hale supported by, 305, 306; Douglas supported by, 310.
Derry, founders of, 149, 177.
Dinsmoor, Governor, insane hospital recommended by, 326.
Dissenters, attitude of Charles toward, 85.
Divorce, customs regarding, 131, 132.
Dolphin Inn, Great Island, 124.
Dorchester, Lord, 31 n.
Douglas, Stephen A., supported in N. H., 310.
Dover, settlement of, 4; reception of Burdet at, 9; government of Massachusetts accepted by, 22; represented in Boston General Court, 42; an independent republic, 116; warned of intended Indian attack, 146.
Dow, Henry, 154.
Downing, Emanuel, services of, 31 n.
Dudley, John, 218.

Dudley, Judge John, 281.
Dudley, Joseph, president of Council for all New England, 112; message brought from queen by, 160.
Dudley, Rev. Samuel, 165 n.
Dummer, Richard, arrival of, in Boston, 20.
Dunbar, Rev. Asa, 231, 275.
Duresme, Bishop of, 13.
Durham, agricultural college at, 323.
Dustan, Hannah, escape of, 186.
Dye, John, 18; letter of, concerning bounds of Lygonia, 21.
Dyer, Mary, hanging of, 50.

Eastwick, Pheasant, made coroner by Andros, 113.
Edgerly, Thomas, 154.
Education, in New Hampshire, 242, 322, 323; taxation for, 256.
Eliot, John, opinion of, regarding Dr. Langdon, 264 n.
Elliott, Robert, 90, 154.
Elmira, reformatory at, 330.
Elwyn, John Langdon, John Langdon described by, 266, 267.
Emerson, Ralph Waldo, quoted, 119, 120, 259.
Emery, John, fined, 48; helps free Quakers, 52.
Emigration, suspension of restrictions on, from England, 13; from New Hampshire, 240, 241.
Endicott, John, prejudices against, in England, 31, 35; defended by Wiggin, 32; Quakers sentenced by, 50.
England, Church of, supporters of, 4, 8; established in New Hampshire, 5, 6, 13; recognized in Portsmouth, 22; establishment of, enjoined, 37; difficulties of establishing, 38; hostility to, in New Hampshire, 95.
Exeter, on ill terms with Massachusetts, 22; source of discontent in, 23; Bachiler called to, 41; never represented in Boston General Court, 42; an independent republic, 116; Wheelwright at, 117; conventions at, 212, 216, 220. See also Phillips Exeter Academy.
Exton, Dr. John, 56.
Eyre, Eliezer, 4.
Eyre, Thomas, 4; agreement of, with Littlebury, 67.

Farmer, John, 165 n., 340.
Farming, decline of, 241, 317; investments in, 256.
Federalist party, of New Hampshire, 245, 246, 249–254; some prominent members of, 274, 275.
Fernald, Dr. Ronald, 40, 43.
Fogg, G. G., 307 n.; secretary of the National Republican Committee (1860), 311.
Follet, Nicholas, 154.
Folsom, Nathaniel, delegate to Continental Congress, 210.
Ford, Sir Richard, 56.
Forests, exploitation of, 335.
Forgeries, as basis of land claims, 163–165.
Fort St. George, abandoned by colonists, 7.
Foster, Stephen, 302.
Fowle, Daniel, 200 n.
Fox, George, followers of, denounced, 49.
Francestown, named for Mrs. Wentworth, 207.
Franklin, Orphan Asylum at, 329.
Freemen, privileges of, restricted to church members, 22, 63.
French, in Canada and Maine, 1.
French Revolution, effect of, 273.
Fryer, Nathaniel, Champernown's petition against, 54; treaty of, with Indians, 140; member of constitutional convention (1690), 154.
Fuller, Rachel, accused of witchcraft, 121.

Gaffield, Eunice, captured by Indians, 197.
Gage, General, 213.
Gardiner, Sir Christopher, accusations of, against Massachusetts, 31; letters to, opened, 33, 34.
Gardner, Griffith, agreement of, with Littlebury, 67.
Gardner, Henry, 4.
Geary, John W., governor of Kansas, 310.
General governor, of New England. See Governor-general.
George II, affection for, in New Hampshire, 200, 201.
George III, reputation of, in New Hampshire, 201.
Gerrish, Capt. John, 154.
Ghent, treaty of, 250.
Gibbons, Ambrose, 16, 40.
Gibson, Rev. Richard, rector at Portsmouth, 22; forced to return to England, 23, 40.
Gilbert, Sir Humphrey, 1; voyages of, 6.
Gilbert, Raleigh, as portrayed by Gorges, 29.
Gilman, Major, sufferings of, during Revolution, 227–230.
Gilman, John, member of first royal Council of New Hampshire, 90.

Gilman, John Taylor, governorship long held by, 246, 247.
Gilman, Nicholas, colonial treasurer, 221; in insurrection of 1786, 238.
Goddard, Dr., comment of, on Webster, 286.
Godfrey, Edward, 16, 30; associated with Thomas Gorges, 23; petition of, regarding Mason estates, 55; losses of, 57.
Golden Falcon, vessel, 24 n.
Golden Hinde, foundering of, 6.
Gordon, Rev. William, 265 n.
Gorgeana, abode of Thomas Gorges, 23.
Gorges, Sir Ferdinando, patents granted to, 2–4; colonization doctrines of, 5, 8, 9, 28; confusion between grants given by Mason and, 10, 24; possible visit of, to Maine, 23; grants to, opposed by Coke, 27; defends his scheme, 28; Gilbert portrayed by, 29; hostility of, to Bostonians, 31, 35; letters from, opened, 32, 33; named governor-general, 37, 39; means of, exhausted, 38; probably never saw New England, 39.
Gorges, Thomas, sent to govern Maine Province, 23.
Gove, Edward, 45 n., 91; revolt headed by, 98, 99, 101–104; sentence of, 100; pardoned, 100 n., 104; sent to Tower, 101; letter of, to Randolph, 104; member of constitutional convention (1690), 154.
Governor-general, of New England, powers of, 12, 13; plans to appoint, 23, 36.
Grant, General U. S., vote for, in New Hampshire, 312.
Grants. See Patents.
Graves, Mr., master of the Plough, 20.
Great Bay, Greenland, 8.
Great Island, now New Castle, 16; first General Assembly of New Hampshire at, 91.
Greeley, Horace, 298; candidate for President, 312.
Green, Henry, 154.
Greenill, Robert, 24 n.
Greenland, included in Strawberry Bank settlement, 5; origin of name of, 8.
Greenland, Dr. Henry, 52; quarrel of, with Cutt brothers, 71, 72; banishment of, 73.
Greenland, Mary, accused of being a witch, 120.
Griffith, George, 4.
Guy, Edwin, 4.
Hale, John Parker, anti-slavery opinion represented by, 259; career of, 297, 298, 304; members of meeting called to support, 306 n.; minister to Spain, 311.
Halifax, Lord. See Savile, George, Marquis of Halifax.
Hall, Ralph, 91.
Ham, Mrs. John, 145.
Hamilton, Alexander, Sullivan's recommendation of, 235; contention between Jefferson and, 246; compliment of, to Langdon, 267.
Hampton, original settlement at, 21; government of Massachusetts accepted by, 22; granted to Puritan colony, 35; Wheelwright removes to, 42; represented in Boston General Court, 42; an independent republic, 116; Bachiler and Winthrop at, 117; witchcraft in, 120, 121; refusal of, to choose councilors, 155.
Hampton Falls, 210 n., 211, 264, 278, 283, 284, 340.
Hanson, John, wife and children of, captured by Indians, 182 n.
Harbert, S., 24 n.
Hartford Convention, 250.
Haslerigg, Sir A., 34.
Hawthorne, Nathaniel, quoted, 290 n.; and Franklin Pierce, 296, 297.
Hawthorne, William, 139.
Hayes, J. L., Hale supported by, 30.
Heard, Elizabeth, escape of, from Indians, 144, 145.
Heard, Tristram, 182 n.
Hebrides, John Mason's expedition to, 3.
Herbert, George, on English religion, 19.
Hill, Isaac, 174; influence of, 254, 255; offices held by, 256.
Hilton, Edward, settlement of, in Dover, 4; patent of, sustained, 25; disposition of part of patent of, 34; land taken by, on Lampereel River, 66.
Hilton, Martha, wife of Benning Wentworth, 195; heroine of Longfellow's "Lady Wentworth," 195 n.
Hilton, William, settlement of, in Dover, 4; patents of, sustained, 25; delegate to convention (1690), 154.
Hincks, John, 113.
Hinsdale, Indian attack on, 196, 197.
Hoar, John, petition of, against Puritan courts, 64.
Hobbs, Morris, 154.
Holyoke, Edward, 34.
Howe, Mrs. Jemima, captured by Indians, 196, 197.
Hoyt, Professor, 305.

Hubbard, Gov. Henry, associated with Isaac Hill, 255; views of, regarding corporations, 331, 332.
Hubbard, Rev. William, quoted, 139, 149.
Humphreys, David, 197.
Hussey, Christopher, petition advised by, 45; judgment against, 47; appointed royal councilor, 48 n., 90.
Hutchinson, Edward, 170, 171.

Illiteracy, percentage of, in New Hampshire, 318; check on, 321.
Immigration, results of, in New Hampshire, 316–321.
Immorality, not uncommon, 130.
Impeachment, judicial, sole case of, in New Hampshire, 271, 272.
Indian campaign (1723–24), grant to survivors of, 182.
Indians, outrages against, in Maine, 137; treachery of Waldron toward, 139; ammunition supplied to, 141; incited against Andros, 142; Waldron murdered by, 142, 143; practical extermination of, in New Hampshire, 151; raids of, in New Hampshire, 182, 183, 196.
Industries, of New Hampshire, 241, 318 n., 334, 335.
Innkeeping, 124.
Insane, care of, in New Hampshire, 324–327.
Isles of Shoals, 7, 40.

Jacob, Sir John, 56.
Jaffrey, George, 96, 97.
Jefferson, Thomas, contention between Hamilton and, 246.
Jeffreys, George, arguments of Halifax against, 107; Kirke censured by, 110.
Jewett, Sarah Orne, 181 n.
Jobe, M., 67 n.
Jocelyn, Henry, 4, 16; associated with Thomas Gorges, 23; Puritan domination resisted by, 51 n.
Johnson, Andrew, attitude of New Hampshire toward, 312.
Jones, Daniel, 232.
Jones, Paul, 215.
Jordan, Rev. Robert, 21.
Josselyn, John, Maverick described by, 59.
Jupe, Anthony, 18.
Jupe, Thomas, 18.
Justice, few instances of perverted, in New Hampshire, 133.

Kansas, Free-State pioneers in, 309; settlers from New Hampshire in, 309.
Kilburn, John, Indians repulsed by, 196.
King Philip's war, effects of, 80, 140.
King William's war, 148.
King's Lynn, birthplace of John Mason, 2; land given to, by Mason, 10.
Kipling, Bryan, 18.
Kirke, Col. Piercey, censured by Jeffries, 110.
Kittery, Champernown at, 24.

La Boëtie, Etienne de, verses of, 1.
Laconia, grant of, to John Mason, 3; school for feeble-minded at, 329.
Lampereel River, 66.
Langdon, John, 199; revolutionary sympathies of, 209; fort seized by, 211; Ranger built by, 215; offer of, for repelling Burgoyne, 226; Gilman defeated by, 246; death of, 262; career of, 265–270; anecdote of, 337.
Langdon, Rev. Samuel, sermon of, on King George's birthday, 201; president of Harvard College, 213; death of, 262; career of, 264, 265.
Langdon, Judge Woodbury, career of, 270–273.
Langley, Thomas, 24 n.
Lark, ship, 96.
Laud, Archbishop, secret correspondence of Burdet with, 9; church policy of, 15; hatred of, for Puritans, 36; establishment of Anglican church ordered by, 37.
Leavitt, Reuben, 303 n.
Leavitt, Samuel, 154.
Lee, Abraham, killed by Indians, 144.
Lee, Charles, 225.
Leverett, John, 57, 64; Randolph reproved by, 86, 87.
Levitt, Thomas, 165 n.
Lewis, Philip, 91.
Lexington, New Hampshire in battle of, 213.
Liberty party, 307 n.
Libraries, in New Hampshire, 323.
Lincoln, Abraham, New Hampshire first New England State to declare for, 311.
Liquor, free use of, 124; importation of, 125; laws regarding sale of, in New Hampshire, 322.
Little Harbor, original name of, 4.
Littlebury, Capt. John, claims of, against Barefoot and Shapleigh, 66, 67.
Livius, Peter, charges of, against Sir John Wentworth, 205.
Livermore, Judge Arthur, anecdotes of, 291 n.
Londonderry, founders of, 149.
Longfellow, Henry Wadsworth, 195 n.

Lords of Trade and Plantations, Bostonians directed to present case to, 64; letter of, regarding right of appeal, 158; New Hampshire favored by, 168.
Louis XIV, comment of, on Lord Halifax, 107, 108; purposes of, in America, 137.
Louisbourg, capture of, 177.
Lovewell, John, campaign of, against Indians, 183; disasters to, 184.
Lowland dialect, in New Hampshire, 149.
Lutwyche, Edward, 207.
Lyde, Edward, 133.
Lygonia, granted to the Company of the Plough, 19; disputes concerning bounds of, 20, 21.

Macaulay, T. B., quoted, 105.
Macy, Thomas, law aimed at, 44, 45; becomes Quaker, 48.
Madawaskarbet, Diogenes, Abenaki Indian, 137.
Madison, James, John Langdon's opinion of, 269; attitude of New Hampshire Federalists toward, 270.
Magistrates, attitude toward, in Massachusetts, 152.
Maine, French explorers in, 1; grants in, to Mason and Gorges, 3; to Camock and Jocelyn, 4, 5; Thomas Gorges acting governor of, 23; domination of Massachusetts in, 25; early aristocratic tendency in, 28; Gorges grants in, bought by Bay Colony, 41, 88; claim of Mason heirs in, 55, 56; purpose to unite New Hampshire with, 88; Catholic influence in, 137.
Makepeace, Mr., 34.
Manchester, almshouse at, 328; Industrial School at, 329.
Mansfield, Lord. See Murray, David.
Manslaughter, two cases of, 134.
Manufactures, development of, in New Hampshire, 241, 256, 317, 318.
Mariana, grant of, to John Mason, 3.
Marriage customs, 131.
Marston, Gilman, regiment raised by, 310.
Marston, Thomas, 91.
Martyn, Richard, treasurer of first royal Council of New Hampshire, 90, 94.
Mason, Mrs. Anne, claims of, opposed, 25, 43.
Mason, Jeremiah, advice of, in Dartmouth College case, 251; feeling against, 253; attitude of, toward Missouri Compromise, 301, 302.
Mason, John, lines of, quoted, 2; founder of New Hampshire, 2; grants to, 2, 3, 4; expedition of, to the Hebrides, 3; colonization schemes of, 5, 8, 9; named Vice-Admiral of New England, 5; possible visit of, to New Hampshire, 8; confusion between grants of Gorges and, 10, 24; nothing received by heirs of, 10; never exercised powers as Vice-Admiral, 10; proposed extent of those powers, 11, 13, 15; cost of plantations of, 16, 17; hostility of, to Bostonians, 31, 35; financial responsibilities of, 38; death of, 39; efforts of heirs of, 55, 64; arbitration offered by, 68; justice of claims of, 69, 73, 74; decision regarding claims of, 88; further quarrels concerning claims of, 92.
Mason, John Tufton, 163; encouraged by Massachusetts, to assert claims, 170.
Mason, Joseph, 43, 58; returns to England, 65; proposition of, for settlement of claims, 161.
Mason, Robert, contested claim of, 32, 43; petitions of, regarding claim, 55, 65; losses of, 57; gives power of attorney to Col. Nichols, 58; death of, 68; appointment to Council by James II, 68; characteristics of, 68; Blaithwait's proposal concerning, 76; ineffectiveness of, 78; prosperity of New Hampshire described by, 79; charges of William Vaughan against, 80, 81; appointed to royal Council (1680 and 1681), 92, 93; censured by Cranfield, 94; inability of, to collect rents, 106; maltreated by Wiggin, 110–112; previous threats of, 112; member of Council for all New England, 112; address carried to James II by, 113; land sold and leased by, 114.
Mason, Dr. Robert, 56.
Massachusetts, Puritans of, 9, 10; encroachments of, in New Hampshire, 25, 26, 30, 32, 39, 42, 44–53, 57, 60–62, 89, 166; purpose of Stuarts regarding charter of, 26; less democratic than Plymouth, 29; hostility of Mason and Gorges to, 31 n.; existence of, threatened, 35, 36; claims of, in New Hampshire, set aside, 41, 53, 68, 89; made a royal Province, 42; treatment of Quakers in, 48–53; letter of, to King Charles, 60; further charges against, 62, 63; charter of, canceled, 68; hostility of, to Barefoot, 69, 70; unfriendly to liberty of people, 75, 86; effort of, to include New Hampshire in new charter, 81; inconsistencies of, 85;

purchases of, in Maine, 88; decision regarding boundaries of, 88, 159; claim of, to Mason's land-grant, 116; grants made by, in New Hampshire, 167, 178, 179, 181–191; dislike for, in England, 169; occasional later animosities between New Hampshire and, 174.
Massachusetts Company, charter of, threatened, 35, 36.
Mather, Cotton, 67 n.
Mather, Increase, 81.
Maverick, Samuel, royal commissioner, 53, 59, 62, 72; imprisoned, 59; removes to Virginia, 60.
Mesandowit, sachem, 143.
Metcalf, Ralph, governor of New Hampshire, 309.
Ministers. See Clergy.
Missouri Compromise, attitude of New Hampshire toward, 301.
Mohawk Indians, incursion of, 140.
Monmouth, New Hampshire men at battle of, 227.
Monmouth, Duke of, proposed principality for, 88.
Monroe, James, New Hampshire's vote for, 250, 251.
Montgomery, James, ancestors of, 309.
Moodey, Rev. Joshua, minister at Portsmouth, 23, 41; Champernown's petition against, 54; training of, 55; commercial ventures of, 97.
Moody, Rev. Samuel, John Sullivan aided by, 180.
Morgan, Silvanus, quotations from his "Sphere of Gentry," 19 n.
Morris, Robert, 235, 267.
Morton, Thomas, of Merrymount, accusations of, 31; hostility of, to Bostonians, 35.
Moulton, Gen., 237.
Murray, David, Lord Mansfield, retained in Concord contest, 189; later opinion of, 191.
Music, cultivation of, 133.
Myles, Dr. John, 56.

Narragansett Indians, hostility of, 140.
Navigation Acts, 92, 97 n.
Neale, Walter, 4; partnership of, with Mason and Gorges, 5; in charge of Portsmouth colony, 16; forged signature of, 32, 44; at variance with Winthrop, 33, 34.
Nevin, James, 195.
New Castle, included in Strawberry Bank settlement, 5; early fort planned at, 16; fort seized, 211; Gov. Wentworth takes refuge in, 213.
New England, early European visitations to, 1; christened by Capt. John Smith, 6. See also Council for New England.
New England Commissioners, Mason claims examined by, 65.
New Hampshire, founder of, 2; Capt. John Smith's impressions of, 7; legacy of Mason to, 10; proposed powers of Mason in, 11, 13, 15; draft of charter of, 11–15; domination of Massachusetts in, 25, 30, 39, 42, 44–53, 89; separate provincial organization in, 26, 89; early aristocratic tendency in, 28; anxiety of Puritans to acquire land in, 34; claims of Massachusetts in, set aside, 41, 53; treatment of Quakers in, 48–53; claim of Mason heirs to, 55, 56; these claims resisted by, 74, 75; kept from uniting with Massachusetts, 78; prosperity of, 79; decline of, 80; effort to include, in new Massachusetts charter, 81; purpose to unite Maine with, 88; letter from General Court of, to king, 89; first royal Council of, 90; Bill of Rights passed by (1680), 91; this bill disallowed by king, 93; arrival of Cranfield in, 94; tyranny of Cranfield in, 98; comes under provisional revolutionary government of Massachusetts, 113, 114; anomalous situation of, 115, 116; township system in, 117; resistance of, to arbitrary power, 118; loyalty of, to English monarchy, 118, 119; witchcraft in, 120, 121; religious toleration in, 121, 122; character of early settlers in, 135, 136; losses in, through Indian wars, 147, 148, 150; obstacles overcome by colonists in, 148, 149; first constitution in, 153–155; petition of, to be included in Massachusetts, 156; attempt in, to compromise with Allen, 160, 161; mutilation of records of, 162; forgeries of records in, 163–165; salary voted to governor of, 167; decision of boundary question demanded, 168; boundary line of, fixed, 169, 170; occasional renewals of animosity between Massachusetts and, 174; early area of, 175; mountains of, 176; Scotch-Irish settlers in, 177; contest over Massachusetts grant of Concord, 178, 181–191; increase of population in, 192, 193, 240; shipping of, 192; trade of, 193; militia of, 193; renewed Indian atrocities in, 196, 197; troops raised by, against French, 198, 199; debt of, 199; affection of, for George II, 200; Sir John

Wentworth, governor of, 202, 203; countries of, 206, 206 n.; Provincial Congresses in, 210–212, 216, 220; men from, in Revolution, 213–215, 224, 225, 227, 231; escapes invasion during Revolution, 215; Vermont claimed by, 215, 232–234; colonial relations favored in, till 1776, 216, 217; constitution of 1783, 217, 237, 243, 244; first House of Representatives in, 218; declaration of independence in, 218, 219; town government in, 220; Revolution upheld by plain people of, 232; financial condition of, 236–238, 256; constitution of 1787, 238, 239; emigration from, 240, 241; industries of, 241, 318 n., 334, 335; education in, 242, 256, 322, 323; legislature of, 244; party lines in, 245, 246, 250–253, 312; prosperity of (1823), 248, 249; effect of Civil War on, 257, 314; slavery in, 300, 301; attitude in, toward abolitionists, 302, 303; mass meeting in, favoring Hale, 305; organization of anti-slavery force in, 308; sympathy for Kansas in, 309; men raised by, in Civil War, 310, 311; summer travel in, 315; valuation of property in, 315, 316, 320 n.; increased demand for charity in, 316, 317, 326; results of immigration in, 316-321; ratio of representation in legislature of, 320, 321; corporations in, 321, 331–333; prohibition in, 322; libraries in, 323; care of insane in, 324–327; pauperism in, 327–330; prisons of, 330; judiciary of, 330, 331; forests of, 335; present type of public men in, 337.

"New Hampshire Gazette," 200 n.

New Hampshire Province Laws, 116.

New Orleans, victory of Jackson at, 250.

New York, jurisdiction of, over New Hampshire, 176; claim of, to Vermont, confirmed, 202.

Newfoundland, reached by Gilbert, 6; colony at, 8.

Newichwannock (now South Berwick), colony at, 5; Mason's property at, 10, 16.

Nicholas, Edward, letter of Mason to, 11.

Nichols, Col. Richard, given power of attorney by Robert Mason, 58; makes Shapleigh Mason's attorney, 58, 65; royal commissioner, 59.

Norris, Moses, associated with Isaac Hill, 255; in slavery agitation, 303.

Norsemen, 1.

North, Judge, 88.

Nutfield, grant of, 179.

Nutter, Anthony, 91.

Oakes, Thomas, 81.

Occupations. See Industries.

Odiorne's Point, 8. See also Little Harbor.

"Ordinaries," regulation of, 124.

O'Sullivan, Owen. See Sullivan, John.

Otis, Margaret, captured by Indians, 146.

Otis, Margaret (rechristened Christine), captured by Indians, 146; later adventures of, 146, 147.

Otis, Richard, killed by Indians, 144.

Palmer, Christopher, Barefoot arrested by, 125, 126.

Pannaway, present name of, 4.

Paper money, 130, 199; movement for, 237, 238.

Parker, William, Lord Monteagle, 94 n.

Partridge, William, Lieutenant-Governor of New Hampshire, 157.

Pascataqua, name given to part of colonies of both Mason and Gorges, 24.

Pascataqua towns, court in, 42.

Passaconaway, Penacook sachem, 138.

Patents, confusion in, 24, 25; monopolistic nature of, 27.

Patten, John, 132.

Pauperism, in New Hampshire, 327–330.

Peabody, Gen. Nathaniel, 237.

Peasley, Joseph, law aimed at, 44.

Penacook Indians, friendliness of, 138; later hostility of, 140.

Penacook. See Concord, New Hampshire.

Pendleton, Bryan, of Watertown, 42; removal of, to Portsmouth, 43; part of, in destruction of records, 43, 44; offices held by, 43, 44; Champernown's petition against, 54.

Penhallow, Samuel, testimony of, regarding mutilated records, 162.

Penn, William, 131; influence of Randolph neutralized by, 159.

Penny, Henry, 162.

Pepperrell, Col., aided by Gov. Wentworth, 177.

Pequaket Indians, attack on, 184.

Perry, Horatio, 311.

Phillips, Wendell, quoted, 152.

Phillips Exeter Academy, 242; growth of, 323.

Pickering, John, 40, 43.

Pickering, Capt. John, 90; delegate to convention (1690), 154; probable mutilation of records by, 162.

Pierce, Franklin, associated with

Isaac Hill, 255; career of, 295–297; unpopularity of, 309; efforts of, in Kansas, 309 n.; trustee of Concord hospital, 326.
Pilgrims, ideal of government of, 9; early aristocratic tendencies offset by, 28.
Pike, Robert, disfranchisement of, 45; petition in favor of, 45, 46; reënfranchised, 48; helps to free sentenced Quakers, 48, 52; Mason claims recognized by, 66; moderation of, 85; testimony of, regarding Gove, 101.
Pillsbury, Parker, 302.
Pilsbury, Amos, penitentiary discipline introduced by, 330.
Piracy, law against, 130.
Pitt, William, influence of, in colonies, 198.
Playhouse, remonstrance against, 199, 200.
Plough, ship, 19, 20. See also Company of the Plough.
Plumer, William, 238; elected governor of New Hampshire, 246, 249; effort of, to reorganize Dartmouth College, 251, 252; John Langdon described by, 268; Judge Langdon described by, 271–273; career of, 275–278; Weare described by, 281.
Pomery, Leonard, 67 n.
Poor, Gen. 231.
Poor Richard, the fight between Serapis and, 215.
Popham, Sir John, Sagadahoc colonized by, 7.
Port Royal, abandoned by French colonists, 1609, 7.
Portsmouth, origin of name of, 2; included in Strawberry Bank settlement, 5; Mason's plantation at, 16; government of Massachusetts accepted by, 22; loyal to Church of England, 22; Puritan church at, 23; Anglican church at, dissolved, 40; Bachiler removes to, 41; representation of, in Boston General Court, 42; Massachusetts authority in, 42, 43; Moodey's church at, 55; commerce of, 79; an independent republic, 116; importance of, 160; remonstrance against playhouse at, 199, 200.
Post-offices, establishment of, in New Hampshire, 220.
Povey, Thomas, 56.
Preaching, without allowance, law against, 44; law repealed, 47.
Pring, Martin, voyages of, 6, 7.
Printers, political leaders among, 254, 255.
Property, Webster's reverence for, 288, 293.
Puritans, ideal of government of, 9; denounced by Burdet, 9; restricted emigration of, 13; hatred of Laud for, 36, 37; prejudices of, against those of different religious opinions, 69, 70; cause of certain censurable actions of, 134.

Quakers, legislation against, 48, 49–51; method of punishing, 52; action of Charles II regarding, 53; Puritan injustice toward, 62, 63; attitude of Charles toward, 85; tolerance toward, in New Hampshire, 121.
Quebec, capture of, 148.
Queen Anne's war, 148.

Railroad building, 248, 249.
Rainsford, Judge, 88.
Raleigh, Sir Walter, 1; never saw Virginia, 6.
Randolph, Bernard, 84.
Randolph, Edward, appointment of, to Council, by James II, 68; made postmaster for New England, 76; advice of, to Mason, 76, 77; energetic action of, in New Hampshire, 83–86; Copley's estimate of, 83; toleration of, 85; advice of, to King Charles, regarding Massachusetts, 87; attack of, on Massachusetts charter, 88; returns to England, 89, 92; efforts of, against illicit trade, 96; account by, of Gove's rebellion, 101–104; supplants Vaughan in Council, 106; turns against Cranfield, 109; secretary of Council for all New England, 112.
Randolph, John, anecdote of Judge Livermore and, 291 n.
Ranger, vessel, 215.
Rasles, Sébastien, killed, 183.
Ratcliff, Philip, accusations of, 31.
Rawlings, Thomas, 99.
Rawlins, Mrs., 182 n.
Rayner, Rev. John, part of, in Quaker atrocities, 52.
Rebellion, laws against, 127.
Reconstruction, New Hampshire's attitude toward, 312, 313.
Religious liberty, provision for, in New Hampshire Constitution (1783), 243, 244.
Republican party, in New Hampshire, basis of organization of, 307; growth of, 311.
Revolution, beginnings of, in New Hampshire, 209–214; upheld by plain people, 232.
Richman's Island, 40.

Rigby, Col., buys Plough Company's patent, 21.
Rindge, John, town named for, 207.
Roberts, Lieut. John, 154.
Robinson, William, hanging of, 50.
Robitaille, Philip, Margaret Otis married to, 146.
Roby, Henry, innkeeper, 124.
Rogers, Nathaniel P., comment of, on Webster, 291 n.; anecdotes of Judge Livermore by, 291 n.; "Herald of Freedom" published by, 302, 303.
Rolfe, Benjamin, Wentworth claims contested by, 178; defendant in Concord case, 190.
Rome, Church of, Stuart return to, 8.
Royall, Col. Isaac, attempt to replace Wentworth by, 173.
Rumford. See Concord.
Rye, included in Strawberry Bank settlement, 5.

Sabbath-breaking, punishment for, 123.
Sagadahoc, colony at, 7.
Saint-Castin, Baron de, ammunition supplied to Indians by, 141; plundered by Andros, 142; grandson of, killed, 183.
Saltonstall, Sir Richard, 34.
Samborne, John, 45.
Saratoga, Col. Cilley at, 227.
Savage, James, 165 n.
Savile, George, Marquis of Halifax, influence of, 105, 106; argues for liberty in New England, 107; Cranfield rebuked by, 108.
Say, Lord, 34.
Scammell, Col. Alexander, 231; Thornton's verses on, 233 n.
Scotch-Irish, parts of New Hampshire settled by, 177, 179.
Scotland, refugees from, in New Hampshire, 177.
Scott, Sir Walter, quoted, 150.
Serapis, fight between the Poor Richard and, 215.
Shapleigh, Nicholas, made attorney for Robert Mason, 58, 65; land leased by, 66; charges of Littlebury against, 66, 67; friendliness of, to Quakers, 122; treaty of, with Indians, 140.
Sheafe, James, defeated for governor of New Hampshire, 247, 249.
Sherburne, Henry, 40, 43.
Sherburne, Samuel, innkeeper, 124, 154.
Sherwill, Nicholas, 67 n.
Ship-money, 129.
Shirley, John M., 116, 117.
Shirley, Thomas, 132.
Shirley, William, made governor of Massachusetts, 172.
Slavery, in New Hampshire, 248 n., 300, 301; Webster's attitude toward, 294; universal abolition of, 313.
Sleeper, John, 99.
Smith, Edward, 99.
Smith, Judge Jeremiah, of Exeter, 117; contests of, with Langdon, for governorship, 246.
Smith, John, of the Company of the Plough, 18.
Smith, Capt. John, explorations of, 6, 7.
South Berwick, originally Newichwannock, 10.
Spain, trade with, 129.
Squando, treaty with, 140.
Stanton, Frederick P., acting governor of Kansas, 310.
Stanyan, Anthony, 91.
Stark, John, 193; talents of, 148; regiment under command of, 213; at Bunker Hill, 214; Burgoyne defeated by, 216, 226; at Trenton, 225; resignation of, 225; made brigadier, 227; attitude of, in Vermont case, 234, 235; Cincinnati opposed by, 236; career of, 260–262.
Steele, Gov. John H., views of, on corporations, 333.
Stephenson, Marmaduke, hanging of, 50.
Stevens, Benjamin, grant to, 184.
Stileman, Elias, Champernown's petition against, 53; member of first royal Council of New Hampshire, 90; deposed as councilor, 97.
Stiles, Ezra, 264, 265.
Story, Augustine, 165 n.
Story, William, 58.
Stoughton, William, 85.
Stratham, Wiggin's patent for, 32.
Strawberry Bank, settlement at, 5; destroyed records of, 43, 44; name of, changed to Portsmouth, 44. See also Portsmouth.
Sullivan, James, governor of Massachusetts, 179.
Sullivan, John (Owen O'Sullivan), landing of, in Newburyport, 179; polyglot letter of, 180; private school of, in Berwick, 180; portrayal of, by Miss Jewett, 181 n.
Sullivan, John, governor of New Hampshire, 179; revolutionary sympathies of, 209; delegate to Continental Congress, 210; fort seized by, 211; made brigadier, 214; success of, in southern New York, 215; at Trenton, 225; Vermont compromise

accepted by, 235; suggestion of, regarding finance minister, 235; insurrection (1786) suppressed by, 238; career of, 262, 263.
Sullivan, Judge John, Gen. Sullivan described by, 263.
Summer property, 335.
Summer travel, 315.
Sumner, Charles, insult to, resented in New Hampshire, 312.
Swett, Capt., killed by Indians, 140.
Swett, Dr. Giles, 56.
Switzerland, analogies between New Hampshire and, 192.

Tariff, imposed on New Hampshire colonists, 14, 15; early, on liquors, 125.
Taverns, early uses of, 124.
Taxation, regulation of, 129.
Taylor, Edward, killed by Indians, 182 n.
Texas, Hale's vote against annexation of, 304.
Theft, commonness of, 130.
Thing, Jonathan, 154.
Thompson, Benjamin, Count Rumford, 207; value of discoveries of, 260.
Thompson, Ebenezer, colonial secretary, 217.
Thompson, George, mobbed, 302.
Thompson's Island, Boston Harbor, origin of name of, 4.
Thomson, David, land granted to, 4; partnership of, with Mason and Gorges, 5; settlement by, 8; relations of, with Mason, 67 n.; Mr. Deane's researches concerning, 74 n.
Thomson's Point, 8.
Thornton, Matthew, president of fourth Provincial Congress, 212; account of inoculation for smallpox, 228 n.; letter of, regarding Vermont case, 233.
"Thorough," policy of, 39.
Tippin, Bartholomew, 91.
Toleration, religious, in New Hampshire, 121, 122.
Toleration Act, 254.
Tompkins, Mary, sentence against, 51.
Torrey, William, 46.
Town government, establishment of, in New Hampshire, 220.
Townships, system of, originated in New Hampshire, 117.
Treason, only trial for, ever held in New Hampshire, 100 n.; laws against, 127.
Trelawney, Mr., owner of Richman's Island, 40.
Trollope, Anthony, comment of, on White Mountains scenery, 315.
Tuck, Amos, Hale supported by, 305; elected to Congress, 305.
Tucke, Robert, innkeeper, 124.
Tufton, Robert. See Mason, Robert.
Turner, Mrs., 130, 131.
Turner, Dr. William, 56.
Tuttle, Lieut. John, 154.
Tyng, Jonathan, appointment of, to Council, by James II, 68.

Underhill, Capt. John, 30.
Usher, Hezekiah, mines leased to, by Mason, 114.
Usher, James, appointment of, to Council, by James II, 68.
Usher, John, made lieutenant-governor of New Hampshire, 156; opposition to, 157.

Valley Forge, Cilley's regiment at, 227.
Vaughan, George, forged signature of, 44.
Vaughan, George, lieutenant-governor of New Hampshire, 160.
Vaughan, Major William, charges of, against Mason, 80, 81; deposed from Council, 106; member of constitutional convention (1690), 154; possible mutilation of records by, 162.
Vaughan, William, grandson of above, plan of, for attack on Louisbourg, 177; part of, at Louisbourg, 193.
Vermont, early inclusion of, in New Hampshire, 175; jurisdiction of New York over, 176; town charters granted by Wentworth in, 178; claim of New York to, confirmed, 202; claimed by New Hampshire, 215, 232–234; attitude of, in Revolution, 232; compromise accepted by, 234.
Villieu, Indian method of warfare described by, 182 n.
Virginia, early aristocratic tendency in, 28.

Wadleigh, Robert, 154.
Wainwright, John, 185.
Waldron, Richard, 22, 43; cruelty of, toward Quakers, 48, 50, 51; member of first royal Council of New Hampshire, 90, 94; sentence passed by, on Edward Gove, 100; made commander-in-chief of soldiers, 114; murdered by Indians, 114, 142, 143; Indian accusations against, 137; treachery of, toward Indians, 139; member of constitutional convention (1690), 154.

Waldron, Richard, Jr., 91; deputy register of Province of New Hampshire, 113; warned of Indian attack, 145, 146; victory of, over Allen, in land suits, 158.
Waldron, Richard, 3d, head of Belcher faction in New Hampshire, 167.
Waldron, T. W., Wentworth's letter to, 211.
Walford, Jane, tried as witch, 120; recovery of damages by, 120.
Walker, Mr., trustee of Concord insane hospital, 324.
Walker, J. B., 190 n.
Walker, Robert J., governor of Kansas, 310.
Walker, Rev. Timothy, Wentworth claims contested by, 178; settled at Penacook, 186; sent to England, to plead Concord case, 189, 190; on committee to draft New Hampshire declaration of independence, 218.
Walpole, Indian attack on, 196.
Wampanoag Indians, hostility of, 140.
Wannerton, Thomas, 4; residence of, 16.
Ward, Gen. Artemas, 213.
Warren, Grizel, captured by Indians, 146.
Warren, Sir William, 48 n.
Washington, George, 195 n.; confidence of, in New Hampshire men, 230, 231; part of, in settling Vermont boundary, 234; withdrawal of, from the Cincinnati, 236.
Wealth, concentration of, 334.
Weare, Mason Tappan, regiment raised by, 310.
Weare, Col. Meshech, delegate to congress at Albany, 210; chairman of Committee of Safety, 211; Vermont compromise accepted by, 235; president of Committee of Safety, 220, 221; career of, 278–283; house of, 282 n., 339.
Weare, Nathaniel, 99, 102; petition against Cranfield presented by, 107; objects to union with Massachusetts, 153; member of constitutional convention (1690), 154; member of royal Council, 156; papers of, 339.
Weare, Nathaniel, son of Meshech, 282 n., 340.
Weare, Samuel, 282 n.
Webster, Capt., 230, 231; defends constitution (1787), 239.
Webster, Daniel, 174; chosen to Congress, 247; feeling against, in New Hampshire, 253; opinion of Madison held by, 270; ancestors of, 284; comment of Carlyle on, 285; career of, 286–295.
Webster, Capt. Ebenezer, 285; debt of, to Langdon, 286 n.
Weeks, Major William, 163 n.
Wells, Maine, Wheelwright's colony in, 22; Wheelwright's removal to, 41.
Wentworth, Benning, 167, 168; made governor of New Hampshire, 171; claims of, against Spain, 172; new towns granted by, 173, 178; attempt to oust, 173; Pepperrell aided by, 177; contests over grants of, 178; unpopularity of, 194; characteristics of, 194; second marriage of, 194, 195; allowed to resign, 202.
Wentworth, Frances, 205.
Wentworth, John, lieutenant-governor of New Hampshire, 160; grants claimed by, 167; anger of, over Massachusetts grant of Concord, 187.
Wentworth, Sir John, appointed governor of New Hampshire, 202; also Surveyor of the King's Woods, 202; estate of, in Wolfeborough, 203, 207; charges of Peter Livius against, 205; counties named for friends of, 206; popularity of, 209; opposition of, to Continental Congress, 211; letter of remonstrance to, from Provincial Congress, 212; takes refuge at New Castle, 213.
Wentworth, John, of Somersworth, 212.
Wentworth, Mark Hunking, 205, 207 n.
Wentworth, Michael, 195 n.
Wentworth, Samuel, innkeeper, 124; small share of, in Mason dispute, 159.
Wentworth, William, 165 n.
West, Benjamin, 275.
Whale, ship, 20.
Wharton, Edward, 122.
Wheelock, Dr. Eleazar, assisted in founding of Dartmouth College, 207.
Wheelock, John, removed from presidency of Dartmouth College, 251.
Wheelwright, Esther, 147 n.
Wheelwright Rev. John, 22; migrations of, 41, 42; Indian deed to, 163, 164.
Whipple, T. J., regiment raised by, 310, 311.
White, Thomas, 165 n.
White Mountains, gradual approaches made to, 203; revenue from summer travel to, 315.
Whiting, William, 34.
Whittier, John Greenleaf, mobbing of, 302; satirical poem of, 303 n.; lines of, on anti-slavery victory in New Hampshire, 306; on Charles Atherton, 306 n.

Wiggin, Sarah, Puritan domination resisted by, 51 n.
Wiggin, Capt. Thomas, deposed at Dover, 9; patents of, sustained, 25; defense of Bostonians by, 32; jurisdiction of Massachusetts asked by, 32, 33; later share of, in Boston oligarchy, 33; forged signature of, 44; instrument of the Bostonians, 47; Barefoot and Mason maltreated by, 110.
Wiggin, Thomas, Jr., 72; helps free Quakers, 52.
William III, New Hampshire continued as royal province by, 77, 78; theory of colonial government of, 156.
Williams, Francis, 40.
Williams, Roger, 38.
Willoughby, Lord, 56.
Wilson, Henry, candidate for Vice-President, 312.
Wingate, Rev. Paine, 211, 264, 267.
Winslow, Admiral, 311.
Winslow, Edward, 37; letter of Sir John Wentworth to, 208 n.
Winslow, Josiah, 85.
Winthrop, Mr., librarian of Harvard, 265 n.
Winthrop, Governor John, quotation from, regarding Mason, 12; statement of, regarding the Company of the Plough, 19, 20; methods of, 30; defended by Wiggin, 32; opinion of, regarding Massachusetts jurisdiction in New Hampshire, 32, 33; statements of, regarding opening of letters, 33, 34; enmity toward, in England, 35.
Winthrop, John, the younger, aids in laying out Hampton, 35, 117.
Winthrop, Steven, 42.
Wiswall, John, quoted, 134.
Witchcraft, laws against, 10; alleged cases of, 120, 121.
Wolfeborough, Wentworth estate at, 203, 207.
Wonolancet, Penacook sachem, 138.
Woodbury, Levi, address of, on prosperity of New Hampshire, 248; chosen to Senate, 251; offices held by, 255.
Woodman, Capt. John, 154.
Wood-pulp industry, 334, 335.
"Worshipful" — common term of address, 152.
Wyllis, George, 34.
Wyre, Justice. See Weare.

Yarmouth, attempt at colonizing, 21.

HILL
REFERENCE
LIBRARY
ST. PAUL

AMERICAN STATESMEN

Biographies of Men famous in the Political History of the United States. Edited by JOHN T. MORSE, JR. Each volume, 16mo, gilt top, $1.25. The set, 31 volumes, $38.75; half morocco, $85.25.

Separately they are interesting and entertaining biographies of our most eminent public men; as a series they are especially remarkable as constituting a history of American politics and policies more complete and more useful for instruction and reference than any that I am aware of. — HON. JOHN W. GRIGGS, Ex-United States Attorney-General.

BENJAMIN FRANKLIN. By JOHN T. MORSE, JR.
SAMUEL ADAMS. By JAMES K. HOSMER.
PATRICK HENRY. By MOSES COIT TYLER.
GEORGE WASHINGTON. By HENRY CABOT LODGE. 2 volumes.
JOHN ADAMS. By JOHN T. MORSE, JR.
ALEXANDER HAMILTON. By HENRY CABOT LODGE.
GOUVERNEUR MORRIS. By THEODORE ROOSEVELT.
JOHN JAY. By GEORGE PELLEW.
JOHN MARSHALL. By ALLAN B. MAGRUDER.
THOMAS JEFFERSON. By JOHN T. MORSE, JR.
JAMES MADISON. By SYDNEY HOWARD GAY.
ALBERT GALLATIN. By JOHN AUSTIN STEVENS.
JAMES MONROE. By D. C. GILMAN.
JOHN QUINCY ADAMS. By JOHN T. MORSE, JR.
JOHN RANDOLPH. By HENRY ADAMS.
ANDREW JACKSON. By W. G. SUMNER.
MARTIN VAN BUREN. By EDWARD W. SHEPARD.
HENRY CLAY. By CARL SCHURZ. 2 volumes.
DANIEL WEBSTER. By HENRY CABOT LODGE.
JOHN C. CALHOUN. By DR. H. VON HOLST.
THOMAS H. BENTON. By THEODORE ROOSEVELT.
LEWIS CASS. By ANDREW C. MCLAUGHLIN.
ABRAHAM LINCOLN. By JOHN T. MORSE, JR. 2 volumes.
WILLIAM H. SEWARD. By THORNTON K. LOTHROP.
SALMON P. CHASE. By ALBERT BUSHNELL HART.
CHARLES FRANCIS ADAMS. By C. F. ADAMS, JR.
CHARLES SUMNER. By MOORFIELD STOREY.
THADDEUS STEVENS. By SAMUEL W. MCCALL.

SECOND SERIES

Biographies of men particularly influential in the recent Political History of the Nation. Each volume, with Portrait, 12mo, $1.25 *net*; postage 12 cents.

This second series is intended to supplement the original list of American Statesmen by the addition of the names of men who have helped to make the history of the United States since the Civil War.

JAMES G. BLAINE. By EDWARD STANWOOD.
JOHN SHERMAN. By THEODORE E. BURTON.
WILLIAM McKINLEY. In preparation
ULYSSES S. GRANT. By SAMUEL W. MCCALL. In preparation

Other interesting additions to the list to be made in the future.

HOUGHTON MIFFLIN COMPANY

AMERICAN MEN OF LETTERS

Biographies of our most eminent American Authors, written by men who are themselves prominent in the field of letters. Each volume, with portrait, 16mo, gilt top.

The writers of these biographies are themselves Americans, generally familiar with the surroundings in which their subjects lived and the conditions under which their work was done. Hence the volumes are peculiar for the rare combination of critical judgment with sympathetic understanding. Collectively, the series offers a biographical history of American Literature.

The following, each, $1.25

WILLIAM CULLEN BRYANT. By JOHN BIGELOW.
J. FENIMORE COOPER. By T. R. LOUNSBURY.
GEORGE WILLIAM CURTIS. By EDWARD CARY.
RALPH WALDO EMERSON. By OLIVER WENDELL HOLMES.
BENJAMIN FRANKLIN. By JOHN BACH MCMASTER.
WASHINGTON IRVING. By CHARLES DUDLEY WARNER.
MARGARET FULLER OSSOLI. By T. W. HIGGINSON.
EDGAR ALLAN POE. By GEORGE E. WOODBERRY.
GEORGE RIPLEY. By O. B. FROTHINGHAM.
WILLIAM GILMORE SIMMS. By WILLIAM P. TRENT.
BAYARD TAYLOR. By ALBERT H. SMYTH.
HENRY D. THOREAU. By FRANK B. SANBORN.
NOAH WEBSTER. By HORACE E. SCUDDER.
NATHANIEL PARKER WILLIS. By HENRY A. BEERS.

The following, each, $1.10, *net; postage,* 10 *cents*

NATHANIEL HAWTHORNE. By GEORGE E. WOODBERRY.
HENRY W. LONGFELLOW. By T. W. HIGGINSON.
FRANCIS PARKMAN. By H. D. SEDGWICK.
WILLIAM HICKLING PRESCOTT. By ROLLO OGDEN.
JOHN GREENLEAF WHITTIER. By GEO. R. CARPENTER.

The set, 19 volumes, $23.00; half polished morocco, $50.50.

In preparation

BRET HARTE. By HENRY C. MERWIN.
OLIVER WENDELL HOLMES. By S. M. CROTHERS.

Other titles to be added.

HOUGHTON MIFFLIN COMPANY

AMERICAN COMMONWEALTHS

Volumes devoted to such States of the Union as have a striking political, social, or economic history. Each volume, with Map and Index, 16mo, gilt top, $1.25, *net*; postage 12 cents. The set, 19 vols., $23.75; half polished morocco, $52.25.

The books which form this series are scholarly and readable individually; collectively, the series, when completed, will present a history of the nation, setting forth in lucid and vigorous style the varieties of government and of social life to be found in the various commonwealths included in the federal union.

CALIFORNIA. By JOSIAH ROYCE.
CONNECTICUT. By ALEXANDER JOHNSTON. (Revised Ed.)
INDIANA. By J. P. DUNN, JR. (Revised Edition.)
KANSAS. By LEVERETT W. SPRING. (Revised Edition.)
KENTUCKY. By NATHANIEL SOUTHGATE SHALER.
LOUISIANA. By ALBERT PHELPS.
MARYLAND. By WILLIAM HAND BROWNE. (Revised Ed.)
MICHIGAN. By THOMAS M. COOLEY. (Revised Edition.)
MINNESOTA. By WM. W. FOLWELL.
MISSOURI. By LUCIEN CARR.
NEW HAMPSHIRE. By FRANK B. SANBORN.
NEW YORK. By ELLIS H. ROBERTS. 2 vols. (Revised Ed.)
OHIO. By RUFUS KING. (Revised Edition.)
RHODE ISLAND. By IRVING B. RICHMAN.
TEXAS. By GEORGE P. GARRISON.
VERMONT. By ROWLAND E. ROBINSON.
VIRGINIA. By JOHN ESTEN COOKE. (Revised Edition.)
WISCONSIN. By REUBEN GOLD THWAITES.

In preparation

GEORGIA. By ULRICH B. PHILLIPS.
ILLINOIS. By JOHN H. FINLEY.
IOWA. By ALBERT SHAW.
MASSACHUSETTS. By EDWARD CHANNING.
NEW JERSEY. By AUSTIN SCOTT.
OREGON. By F. H. HODDER.
PENNSYLVANIA. By TALCOTT WILLIAMS.

HOUGHTON MIFFLIN COMPANY

THE SCIENCE MUSEUM
OF MINNESOTA